

**RECORDS IN THE  
BRITISH PUBLIC RECORDS OFFICE  
RELATING TO SOUTH CAROLINA**

**VOL. 30  
1764 - 1765**

**MICROFILMED ·  
BY  
· WM. L. MCDOWELL**





1764

Vol 30

B. P. R. O. B. I. Journals Vol 72

Monday 2<sup>nd</sup> Jan<sup>y</sup> 1764

At a Meeting of His Majesty's Comm<sup>rs</sup> for Trade and Plantations  
Present

Earl of Hillsborough. M<sup>r</sup> Denys

M<sup>r</sup> Elliot. M<sup>r</sup> Gascoyne.

.....  
South Carolina Their Lordships took into Consideration that part  
of Lord Sandwich's letter which relates to the report spread in Hol-  
land that the French Protestants destined to be settled in Carolina  
had been confined in Prison at Plymouth and M<sup>r</sup> Majendie one  
of the Trustees for the affairs of the said French Protestants attending  
he was desired to make the proper enquiry concerning the truth of  
such Report and acquaint their Lordships with the Result  
.....

Monday 9<sup>th</sup> January 1764

South Carolina M<sup>r</sup> Majendie one of the Trustees for the French Protes-  
tants going to settle in South Carolina attended and acquainted  
their Lordships that upon the fullest Enquiry he found there was  
no foundation for the Report spread in Holland that the said Protes-  
tants had been confined in Prison at Plymouth whereupon their  
Lordships directed that the draft of a Letter to the Earl of Sandwich  
acquainting him with the result of their Enquiry should be prepared  
.....

(Tuesday)



Tuesday 10 January 1764

South Carolina The Draft of a Letter to the Earl of Sandwich acquainting him with the result of the Boards enquiries concerning the Report spread in Holland, that the French Protestants going to settle in South Carolina, were imprisoned at Plymouth having been prepared pursuant to order was agreed to, transcribed and signed.

Tuesday 14<sup>th</sup> Febr<sup>y</sup> 1764

South Carolina Their Lordships took into consideration the Memorial Georgia of the Agents for South Carolina and Georgia respecting an application to Parliament for liberty to export Rice directly from those Provinces to the American and African Islands, and the Secretary was directed to acquaint the Agents, that as far as their Lordships were at present informed upon this question they could not approve such a measure, but should be glad to receive any further lights or information that could be brought before them.

Wednesday 14<sup>th</sup> March 1764

South Carolina Read a Memorial of Rich<sup>d</sup> Cumberland Esq. Provost Marshal of South Carolina stating the expediency of erecting a Public Goal in that Province at the Expence of the said Government and submitting it to the Boards consideration. Ordered that the Secretary do transmit a copy of the said Memorial to His Majesty's Governor of South Carolina, to the end that he may (recommend)



3  
recommend to the Assembly to make provision for building a proper  
prison agreeable to what is requested by the Provost-Marshal.

Friday 8 June 1764

South Carolina Letter from the Earl of Halifax to the Board dated 26<sup>th</sup>  
January 1764. relating to the proceedings at the Congress held with the  
Southern Indians at Augusta and inclosing a Scheme for the  
management of the Indians. Extract of a Letter from Sever<sup>r</sup> Boone  
to the Secretary of State for the Southern Department dated Charleston  
24<sup>th</sup> Nov<sup>r</sup> 1763. Journal of the proceedings at the Congress held with  
the Southern Indians at Augusta

Thursday 14<sup>th</sup> June 1764

South Carolina Letter from Thomas Boone Esq. Govern<sup>r</sup> of South Carolina  
to the Board dated 7<sup>th</sup> April 1764 respecting the Expediency of stopping  
the Trade with the Creeks and the claim of M<sup>r</sup> Stuart to be consulted  
and to concur in all Indian matters and inclosing Copy of S<sup>c</sup> Carolina  
Minutes of Council relative to the Claim of M<sup>r</sup> Stuart. Extracts of  
Letters from Lieut<sup>o</sup> Mackintosh and Dunnet. Extract of the Journals  
of the Commons House of Assembly of South Carolina in Jan<sup>r</sup> & April 1764

Monday 25 June 1764

S<sup>c</sup> Carolina The Agent for South Carolina attended and acquainted  
the Board that he was ordered by his constituents to represent to  
(their)

their Lordships, that they could not consistent with their former resolutions act upon any point recommended to them by M<sup>r</sup> Boone. but as soon as they could act consistent with their resolutions. they would give proper attention to the affair of the French protestants and the Boundary Line. The Agent was desired to deliver in a memorial containing the substance of what he had related.

.....  
Tuesday 26<sup>th</sup> June 1764

South Carolina The Agent for South Carolina attended and presented a memorial containing the substance of what he had represented to the Board yesterday

.....  
Friday 29<sup>th</sup> June 1764

South Carolina Governor Boone lately arrived from S<sup>c</sup> Carolina attended and presented to the Board an Extract of the Journals of the Assembly in respect to the foreign protestants sent over to that Province

.....  
Monday 2 July 1764

S<sup>c</sup> Carolina Read an order of the Lords of the Committee of Council for plantation Affairs dated 26<sup>th</sup> June 1764 referring to the Board for their consideration and Report a petition of the Commons House of Assembly of S<sup>c</sup> Carolina complaining of the Governor for refusing to administer the oaths to a Gentleman elected a Member of the Assembly Read a Memorial of the Agent of South  
(Carolina)

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Carolina praying to be heard upon the said petition by his Counsel  
and referring to a printed paper entitled State of Jack delivered with it  
Ordered that the said Order of Reference be taken into consideration  
on Friday next and that notice thereof be given to the Agent and also  
to Governor Boone and that the Secretary do transmit to Gov<sup>r</sup> Boone  
a Copy of the Petition of the Assembly and also a State of the facts  
delivered in by the Agent.

.....

Tuesday 3<sup>rd</sup> July 1764

So Carolina The Secretary acquainted the Board that the Agent of  
South Carolina had signified to him that he could not be prepared  
to be heard on Friday upon the petition of the Assembly against the  
Governor whereupon their Lordships understanding that it would be  
agreeable to the Governor postponed the Hearing upon the said petition to  
Friday the 13<sup>th</sup> and the Secretary was ordered to give notice to the parties

.....

Friday 9<sup>th</sup> July 1764

So Carolina Their Lordships took into consideration the State of His  
Majestys Province of South Carolina and the following papers were  
read and considered viz: Letter from Thomas Boone Esq: Governor  
of South Carolina to the Board dated 23 Nov. 1763 containing an  
Account of his proceedings in consequence of the Kings instructions  
for establishing a temporary line of Jurisdiction between N<sup>o</sup> and  
So Carolina and praying that the expence of running that line  
(may)



may be defrayed out of the Quit Rents. Letter from Governor Boone to  
 the Board dated 9 Jan<sup>l</sup> 1764 in answer to three from their Lord-  
 ships relating to the transmission of public papers. The King's  
 proclamation, illicit Trade, and the refractory behaviour of the  
 Assembly and inclosing Copy of his Speech to the Assembly of S<sup>c</sup>  
 Carolina of the Council's Address and his answer. Letter from Govern<sup>r</sup>  
 Boone to the Board dated 21<sup>st</sup> Jan<sup>l</sup> 1764 relative to the Assembly's  
 refusing to provide for the security of the Frontiers and inclosing  
 Minutes of Council from the 4<sup>th</sup> of January to the 6<sup>th</sup> of December  
 1763. Minutes of Assembly from the 24<sup>th</sup> of Jan<sup>l</sup> to the 17<sup>th</sup> Septem<sup>r</sup>  
 1763. D<sup>o</sup> from 26<sup>th</sup> March 1762 to the 26<sup>th</sup> March 1763. Receiver Gen<sup>l</sup>  
 accounts from the 26<sup>th</sup> March 1762 to 26<sup>th</sup> March 1763. Treasurers  
 Accounts from the 1<sup>st</sup> of January to the 31<sup>st</sup> December 1758. D<sup>o</sup> from  
 5 March to the 29<sup>th</sup> Sept<sup>r</sup> 1761. List of Ships and Vessels that have  
 entered and cleared at Charles Town from the 5<sup>th</sup> of Jan<sup>l</sup> 1763 to 5<sup>th</sup>  
 April 1764. Letter from Governor Boone to the Board dated 19<sup>th</sup> April  
 1764 acquainting their Lordships of his intention of returning to  
 this Kingdom. Letter from Governor Boone to the Board dated 4<sup>th</sup>  
 May 1764 transmitting Lists of Ships and Vessels that have entered  
 and cleared at Charles Town from the 5<sup>th</sup> of January 1762 to the  
 5<sup>th</sup> of January 1763. Letter from Lieutenant Governor Bull dated  
 16<sup>th</sup> May 1764 acquainting the Board with the departure of the  
 Governor from that Province, the summoning of the Assembly to  
 meet, and the death of M<sup>r</sup> Guerd, one of the Council & recommending  
 three persons to be Councillors

Ordered

7  
Ordered that the draft of a Letter to the Lieut Governor of S<sup>c</sup> Carolina be prepared in answer to his Ordered that drafts of Representations to his Majesty be prepared proposing that Sir John Colleton Bart and Henry Laurens Esq. may be appointed of the Council of S<sup>c</sup> Carolina

Saturday July 10<sup>th</sup> 1764

S<sup>c</sup> Carolina Representation proposing the appointment of S<sup>r</sup> John Colleton Bart and M<sup>r</sup> Laurens to be of the Council of S<sup>c</sup> Carolina was considered approved and signed

Friday 13<sup>th</sup> July 1764

S<sup>c</sup> Carolina Their Lordships took into consideration the Order of the Lords of the Committee of Council for Plantation Affairs referring the Petition to His Majesty of the Commons House of Assembly of S<sup>c</sup> Carolina complaining of the Conduct of Governor Boone, and M<sup>r</sup> Garth Agent for the Province attending with M<sup>r</sup> Dunning his Counsel in support of the said Petition, and Governor Boone also attending to support his own conduct they were called in and their Lordships having heard M<sup>r</sup> Dunning in support of the Petition and also what the Governor had to offer in support of his conduct, and M<sup>r</sup> Dunning being again heard in reply they withdrew and the further consideration of this Affair was postponed to another opportunity.

The Drafts of letters to the Governors and Commanders in Chief of Quebec. Nova Scotia. Massachusetts Bay. New York New Jersey (Virginia)



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Virginia and South Carolina having been transcribed pursuant to order were signed as were also letters to the Governors and Comm<sup>r</sup> in Chief of Quebec, Nova Scotia, New Hampshire, New York, Virginia, North and South Carolina and Georgia requiring them to transmit authentic Abstracts from the Records of all Grants of Land made in each of those Colonies respectively from the time of their first Establishment, and also to transmit regularly every six months the like Abstracts of all Grants made by them

.....

Monday 16<sup>th</sup> July 1764.

S<sup>c</sup> Carolina Their Lordships took into consideration the adjourned petition of the Commons House of Assembly of South Carolina complaining of the Governor's conduct and a Report to the Lords of the Committee of Council thereupon was agreed to and signed.

.....

Monday 23<sup>rd</sup> July 1764.

S<sup>c</sup> Carolina Read a memorial of M<sup>r</sup> John Gregg stating a demand upon the public for expences incurred in furnishing shipping and supplies to the French Protestants who were directed by His Majesty to be settled in South Carolina and desiring the Board to take such measures, or make such Report thereupon as the justice of the case appears to require Ordered that the Secretary do transmit a copy of the said Memorial, and of the Account of disbursements therein referred to, to the Lieut Governor signifying to him the Boards directions (that)



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that he should lay the same before the Commons House of Assembly and recommend to them to make provision for the reimbursement of such part of the said expenses as were incurred in supplying the said Protestants with necessaries and for other services relative to them after their arrival in the Province

. . . . .

Monday 17<sup>th</sup> Dec. 1764.

St Carolina Read the following letters received from the Lieutenant Governor of South Carolina viz! Letter from Lieut Gov<sup>r</sup> Bull to the Board dated 20 August 1764 relative to M<sup>r</sup> Burns being admitted a Councillor- the temporary line of Jurisdiction- Cherokees and Creeks Settling the French Protestants- Licences for Indian Trade- Act for encouraging Settlers- Importation of Negroes- Exportation of Rice- Building a Goal. Letter from L<sup>d</sup> 13 Sept 1764 relative to the disposition of the Indians and the Trade with them, and containing remarks on the Acts of Assembly lately passed. Letter from L<sup>d</sup> dated 8 October 1764 relative to the Temporary Line of Jurisdiction- Tax Act- Ordinance on the Indian Trade- Oath required by the American Duty Act- and the Appointment of M<sup>r</sup> Rutledge Attorney General. Letter from Lieut Gov<sup>r</sup> Bull dated 18 October 1764 relating to the provision made by the Assembly for the Balance of the account due to Mess<sup>rs</sup> Terrans Sreg an Pouag. Naval Office Lists of ships and Vessels entered and cleared at Charles Town from the 5<sup>th</sup> of April to the 5<sup>th</sup> of July 1764 Ordered that the Draft of a  
Letter

Letter to the Lieutenant Governor in answer to those from him be prepared

Tuesday 18<sup>th</sup> Dec<sup>r</sup> 1764

S<sup>c</sup> Carolina The Secretary laid before the Board an Account of lands granted to the Southward of the Alatomaha River by Governor Boone and Dequetted in the Auditor General's Office. Their Lord<sup>sh</sup>s agreed to take the state of those grants into further consideration on Thursday next, and the Secretary was ordered to write to Governor Boone and desire his attendance on that date

Thursday 20<sup>th</sup> Dec. 1764

S<sup>c</sup> Carolina Their Lordships took into further consideration the state of the Grants of Land made by the Governor of S<sup>c</sup> Carolina in the Territory to the South of the River Alatomaha, and Governor Boone attending was desired to inform the Board of the foundation of those Grants, and how the same are reconcileable to his Instructions whereupon he referred to a Letter from himself to the Board in dated 1<sup>st</sup> August 1763, containing a full state of this matter, which letter was read and M<sup>r</sup> Boone having been asked in some further Questions in respect to the survey of the Lands, then withdrew

(Monday)

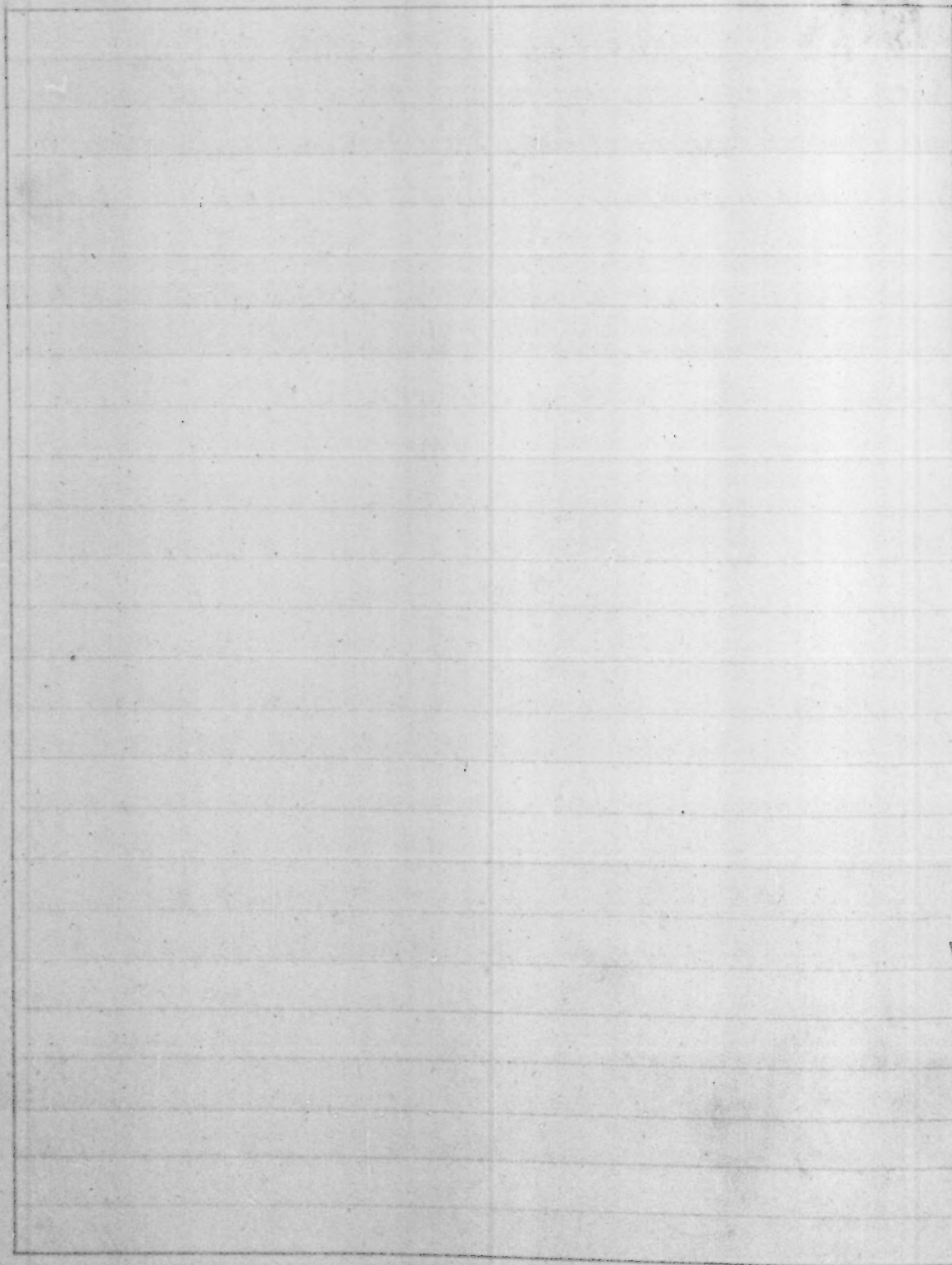
Monday 24<sup>th</sup> Dec 1763

South Carolina The draft of a Letter to the Lieutenant Governor of South Carolina having been transcribed pursuant to order was signed

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y





B P R O South Carolina. B J Vol 20 M. 105.

Charles Town, S<sup>c</sup> Carolina

Jan<sup>y</sup> 21<sup>st</sup> 1764

My Lords,

Since I had the honour of writing to your Lordships by this same opportunity the Mercury Man of War, the Assembly has made no sort of Provision for the Protection of the Frontiers, which are in the utmost consternation, on account of these fresh Enterprises of the Creek; A new Settlement of Irish have barely raised provision for their subsistence for the ensuing year, they represent to me their distress, that they must either be starved or murdered, having no Arms nor money to purchase them; I have sent them Ammunition and Muskets, and a Company of Militia from near a Hundred Miles distance to encourage and strengthen them, I really have done everything in my power to relieve them, but the Members of the Commons House of Assembly having their Plantations near the Sea Coast, and in a state of security, are deaf to the Cries of the back Settlers.

settlers, and they treat His Majesty's requisition if I may be permitted to call that so, which in obedience to the King's commands & signified by your Lordships, I have been under a necessity of making with equal indifference so that I am afraid the temporary line of jurisdiction between the two Carolinas will not be run, unless I am furnished with a Warrant on the Quit rents to defray the expence, which I before hinted to your Lordships.

The enclosed Accounts were sent me only last Night by the Publick Treasurer, or I would have conveyed them in the same Box with the other Papers.

I have the honour to be  
 My Lords, your Lordships  
 Most obed<sup>t</sup> and  
 To the most humble Servant  
 Right Hon<sup>ble</sup> the  
 Lords of Trade. J<sup>hs</sup>. Boone.

M. 105.  
 Received March 21<sup>st</sup> }  
 Read July 9<sup>th</sup> } 1764.



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B. P. R. O. No. Carolina. B. S. Vol. 20. M. 89.

St. James's Jan<sup>y</sup> 26<sup>th</sup> 1764.

My Lords,

Having received from His Majesty's Governor of South Carolina a Journal of the Proceedings at the Congress held with the Southern Indians at Augusta in November last, I have with transmit to your Lordships a Copy of that Journal, that your Lordships may have the fullest Information upon the several Points contained in the joint Letter of the Governor and Indian Agent of the Southern Provinces, which was referred to your consideration by my Letter of the 16<sup>th</sup> Instant.

For the same reason I herewith also communicate to your Lordships an Extract of a Letter from Governor Boone giving his reasons for having refused the Cherokee, at the said Congress, to send up Traders amongst them, and a Copy of a Plan for the management of Indians in general, prepared by M<sup>r</sup> Boone, and transmitted in his said Letter.

I am, my Lords

your

Your Lordship's  
 Most obedient humble Servant  
 Dunk Halifax

Lords of Trade.

M. 89.  
 Received 26. Jan<sup>ry</sup> }  
 Read June 8: } 1764.

Governor Borne's Letter and Plan for the  
 Management of Indians have already been copied  
 see

24<sup>th</sup> November 1763 and inclosure.

B. P. N. O. So. Carolina. B. J. Vol. 20 M. 92.

Journal  
of the Proceedings of the Southern Congress at  
Augusta from the Arrival of the several  
Governors at Charles Town, South Carolina,  
the 1<sup>st</sup> October to their Return to the same  
Place &c. the 21<sup>st</sup> November 1763.

Saturday October 1<sup>st</sup> 1763.

Arrived His Excellency Arthur Dobbs Esq<sup>r</sup> Governor  
&c. of North Carolina at Charles Town;  
And on Monday the 3<sup>d</sup> arrived His Honour  
Francis Fauquier Esq<sup>r</sup>, Lieut Governor of Virginia,  
pursuant to Orders they had respectively receiv-  
ed from His Majesty, signified by His Principal  
Secretary of State to be present at a Congress,  
appointed to be held by the Southern Governors  
with the Chickesan, Chiactaw, Creek, Cherokee and  
Catawba Indians, at Augusta or elsewhere.

Tuesday October 4<sup>th</sup> 1763.

Present  
Their Excellencies

Gore



Geo: Thos: Boone  
 Geo: Arthur Dobbs  
 His Hon: Lieut. Geo: Francis Fauquier  
 and John Stuart, Superintend: of Indian Affairs.  
 It was agreed to give notice to His Excellency,  
 Governor James Oglethorpe of the Inconveniencies  
 attending a journey by Land or Water to Augusta,  
 to the respective Governors, for the more full  
 explanation of which, the Letter referred to was  
 follow; viz.

Sir,

We take the earliest opportunity after  
 our being met together to give your Excellency  
 notice of it, and thus we look upon to be the  
 more necessary, since our conversing upon the  
 Subject of the future Congress has occasioned  
 an Alteration of the Place of Meeting. A Change  
 in every respect so much more convenient to  
 Us will, we flatter Ourselves, not be otherwise  
 to you, the Distance will, we understand, be  
 the same, and the Accommodations no doubt better.  
 It was the Intention of some of Us to have gone  
 up Savannah River by Water, but the tediousness  
 of that Passage has deterred Us, as the Difficulty  
 if

if not Impracticability of conveying Curdrees and the necessary Conduiments by Land has made us lay aside all thoughts of this also.

The Behaviour of some of the Indians to the King's Subjects, and their ill disposition towards one another, points out for the Propriety of assembling them at some place, where they will be under a greater Check and Control, than they would be in so straggling, and ill settled a Place as Augusta; But with regard to the Indians themselves, We imagine the Alteration will not be disagreeable; They were before apprized that Augusta was pitched upon, because the Small Pox was in Carolina, that Disorder having, long since, ceased will be reason therefore sufficient to assign for the change of Place. The Chactaws, Chickesaws and Cataubas are not at all likely to make Objections, the Cherokees are extremely averse to going to Augusta and if the Creeks should entertain any jealousy, the Superintendant will, no doubt, be able to convince them, that nothing is intended by the change of Place but to render the Meeting more commodious to the Governors,

some



some of which have already come a great way  
and will suffer unavoidably by proceeding far-  
ther. Captain Stuart will either lodge the Presents  
at Augusta, or order them back again, as may  
appear to him the most proper, when he has  
sounded the Indians on this Subject. We should  
have been glad, if Time would have permitted,  
to have known your Sentiments upon this  
Alteration, but the Day appointed draws so near,  
that Capt. Stuart thinks it proper to set off  
on Thursday, in order to be ready to receive such  
Indians as may arrive.

We are with great Regard &c.

Thos. Boone

Arthur Dobbs

Fran. Fauquier

John Stuart

His Ex<sup>ty</sup> Geo<sup>ty</sup> Wright.

It was also further agreed, that M<sup>r</sup> Stuart  
should proceed to Augusta, and collect what In-  
dians were there, and conduct them to Dorchester,  
Agreed also, that, from a Representation, that  
the Goods ordered up the River Savannah, from  
the Lowness of it, could not possibly arrive there,  
and

and from a Supposition that the Indians might be disgusted at not receiving the Presents in the usual manner, and at the usual time, the finishing of the Congress, it was agreed, and accordingly Ordered that the said Goods should be stopped and ordered to Dorchester. Resolved, that Henricke Bull be Secretary to the future Congress.

Friday 14<sup>th</sup> October 1763.

This Day the Scout Boat arrived a Letter from Governor James Wright, in answer to that wrote to him of the 4<sup>th</sup> inst 4c<sup>a</sup> and was follows, viz<sup>t</sup>

Savannah in Georgia  
8<sup>th</sup> October 1763.

Gentlemen,

I have just received yours of the 4<sup>th</sup> Inst. acquainting me with an intended Alteration of the Place of Meeting, to hold the future Congress. The Change, if to be in Charles Town, is certainly more convenient and agreeable to you, and it ever gives me Pleasure, when, in executing any part of my Duty, I can do it in such manner



manner as may be most agreeable to those concerned. Tho' I must observe that the Difficulties thrown in the way, I conceive (on a Trial) would not have proved so great as represented or imagined. The Place affords sufficient Houses, Plenty of Provisions and Accommodations of every kind, tho' not so elegant as in Charles Town. As to any particular convenience, or Inconvenience, to myself, I set that quite out of the Question, where His Majesty's service interferes, and altho' some very few of the Upper Creeks have misbehaved lately, yet I am fully persuaded, the Meeting at Augusta would have been perfectly safe, and all Parties secure from danger. I wish the Creeks &c.<sup>a</sup> may be prevailed on to proceed any farther than Augusta, but doubt very much whether They will. Mr Stuart, in his Letter to me, does not mention the least difficulty or Objection made by the Cherokees against Augusta, but that They had received his Invitation with the greatest cordiality and joy. And I should suppose the Chactaws and Chickasaws would have no objection to a saving of 300 Miles travelling. You have omitted to mention the Place, only in a Postscript  
 say,



say, "the Indians will be ordered down to Dorchester  
 the time, I presume, is now uncertain, but when  
 you are pleased to inform me of that, and the  
 place, I shall certainly attend, if Health per-  
 mits, with respect to any reasons that may  
 be given to the Indians, or Directions about  
 the Presents, or my Sentiments on the Propriety  
 of the Alteration, it's needless for me to give any  
 opinion on Matters predetermined, shall only  
 say, that I still think the King's intentions  
 might be more effectually executed at Augusta  
 I am &c.<sup>a</sup>

Their Ex<sup>cs</sup>

James Wright

Thomas Boone &

Arthur Dobbs Esq.

The Hon<sup>ble</sup> Francis Sanguier Esq.

& John Stuart Esq.

Which Letter being read in the  
 presence of their Ex<sup>cs</sup> Thomas Boone and Ar-  
 thur Dobbs Esq and the Hon<sup>ble</sup> Francis Sanguier  
 Esq, the following answer was written, agreed  
 to, and dispatched by two Opportunities.

Charles Town

Charles Town, So. Carolina  
14<sup>th</sup> October 1763.

Sir,

We have, this Morning, been favoured with your Letter of the 8<sup>th</sup> inst., upon which we think it just necessary to observe that Augusta, its Accommodations and Security must have been misrepresented to us, and besides that the getting there at all with the least degree of Convenience to Ourselves was scarce possible. Mr Stuart might have omitted acquainting your Ex<sup>ty</sup> with the disinclination of the Cherokees to meet at Augusta, in consequence of two of their Nation being killed by the Creeks, but they expressed it strongly to him; Proposed Valuedy Old Town for the Congress, and determined to wait on the Path, in hopes of an alteration of Place. We are in great hopes that the late Outrages committed by the Upper Creeks are not the Acts of the Nation in general, but if the generality were well inclined, they would either prevent or punish such frequent Repetitions of Insolence and Murder. A Letter of the 2<sup>th</sup> inst. which Gov<sup>r</sup> Boone has received from Augusta,

says,

says, that none of the Upper Creeks will be there at the Congress, if this was their Resolution before the Place of Meeting was changed, it looks as if they could not hope, that their Offences would be forgiven them; with regard to the Chactaws and Chickasaws, they are already on their Route, We all know, that 2, or 300 Miles to an Indian is nothing when he is in expectation of either Rewards or Revenge, and they frequently come that Distance uninvited and upon an Uncertainty. We before declared how agreeable it would have been to Us to have consulted you upon the Alteration, if Time would have permitted, We now express our hopes, that your Arrival here, or in Dorchester, the Place appointed for the Congress, will be as soon as possible, that everything may be concerted previous to the coming of the Indians, and We flatter ourselves, that, by the Assistance We shall be able to give each other, the Kings Intentions will be executed faithfully, effectually and with dispatch, We are with great Regard &c<sup>a</sup> Tho<sup>s</sup> Boone  
His Ex<sup>ty</sup> Arthur Dobbs  
Gov<sup>r</sup> Jas<sup>s</sup> Wright Fran<sup>cis</sup> Staunier  
Saturday



Saturday the 15<sup>th</sup> October 1763.

This Day a Letter arrived by Express from His  
Ex<sup>ty</sup> Jas<sup>ty</sup> Wright Esq<sup>r</sup> Gov<sup>r</sup> &c<sup>r</sup> of Georgia, the  
underwritten is Copy thereof.

Savannah in Georgia  
11<sup>th</sup> October 1763.

Gentlemen,

Last Night I rec<sup>d</sup> a Letter sent  
by Express from Augusta, informing me, that  
the Wolfe Spring was gone to Pensacola, to make  
some Demands relative to the ceded Lands, and  
giving an Account of the situation of Affairs  
in the Upper Creek, which, to say no more, I  
think, have not a very pleasing Aspect; and made  
me determine to call the Gentlemen of the Coun-  
cil together, for their opinion on the present  
appearance of Things amongst the Indians,  
and what may be most proper to be done for  
His Majesty's service, in general, and the safety  
of this Province in particular, in case M<sup>r</sup> Stuart  
cannot prevail on the Creeks to proceed to Dor-  
chester, or Charles Town. My Last, by Joyner,  
I wrote immediately on the receipt of yours, on  
a supposition, and in hopes that M<sup>r</sup> Stuart  
might

might prevail with the Creeks to proceed down, but  
 on the receipt of my Letter, last Night, I began  
 to reflect more fully on the consequence of their  
 refusing to go any further, and the more I re-  
 flect on the critical situation of Affairs with  
 these Indians, the more I am convinced of the  
 Danger that, in all probability, will attend  
 their returning home disgusted And I very  
 much fear they will not go down to Dorchester.  
 They are not in a situation or humour to  
 follow Orders. Nay, I am apprehensive, if they  
 should hear of an Intention to carry them down  
 to Charles Town, they will not even come to  
 Augusta And therefore I have now wrote to  
 Lieut. Barnard and Mr. Galphin, desiring them  
 to give Mr. Stuart their best assistance in the  
 Affair. Gentlemen at a distance may not see or  
 consider this matter in the Light it strikes  
 me. And a Creek War may be as little felt in  
 Virginia, as the Northern Massacres are in  
 this Province, our Commiseration is of little  
 service to those who feel and suffer, even  
 North and South Carolina would feel little or  
 nothing of a Rupture with the Creeks, in  
 comparison



comparison of this Province, I must therefore  
 consider this matter in a more serious light  
 than you may, And it is to be presumed I  
 am better acquainted with their situation, and  
 our own, than Gentlemen at a greater distance.  
 And His Majesty's Council are unanimously and  
 clearly of opinion that, should the Creek Indians  
 refuse to go down to Charles Town and return back  
 from Augusta displeased, at this critical Con-  
 juncture, it might be productive of the worst  
 Consequences to His Majesty's service in general,  
 and the safety of this Province in particular.  
 And therefore, in order to prevent, if possible,  
 the Dangers that may attend their returning  
 disgusted, have advised me, in case the Indians  
 refuse to proceed to Charles Town, to meet them  
 at Augusta, as the best, if not the only Method  
 to prevent further Misunderstandings with  
 them, and to promote His Majesty's most  
 gracious Intentions and establishing Peace and  
 Friendship with them on a more firm  
 Basis.

This Advice entirely coincides with my  
 own Opinion, and I judge it altogether expedient  
 for



for me to go up to Augusta to meet them, in case they will not proceed to Charles Town, and can be prevailed on to wait at Augusta.

I send a Person express, to acquaint your Ex<sup>ties</sup> with this Matter. If the Indians, in general, go to Charles Town, I shall attend the Congress there; if they will not go, then, it seems, absolutely necessary for me to proceed to Augusta, where I shall give them a Talk, and proceed further with them according as I find them authorized by the Nation, or not, and as things may be circumstanced, in which Mr Stuart may join, if he pleases. If they went should happen, I doubt not but you will join in Opinion, that a Proportion of the Presents His Majesty has been graciously pleased to send out on this Occasion will be necessary to give them. I have sent an Express to Augusta, and wrote to Mr Stuart on the Subject, the Bearer has Orders to wait a day for any Commands you may have.

Their Ex<sup>ties</sup>

I am &c<sup>a</sup>

Tho<sup>s</sup> Boone & Mr. Dobbs Esq<sup>s</sup>  
The Hon<sup>ble</sup> Fran<sup>cois</sup> Langier Esq<sup>s</sup>

Ja<sup>s</sup> Wright

and

And P.M. Hora 4<sup>th</sup> the following Answer was sent by the said Express.

Charles Town, So. Carolina  
October 15<sup>th</sup> 1763.

Sir,

We are this Moment favoured with your Letter of the 11<sup>th</sup> by Express, and after having seriously considered it, find no fresh Intelligence, but what our Letter of yesterday observed upon, nor conceive a Difficulty or Objection to be started by the Creeks against coming to Dorchester, but what may, and according to our Information, will be urged by the Cherokee against their going to Augusta; This, in great measure, induced us to change the Place appointed, The Superintendent who is supposed to know the Disposition of Indians in general, and from whom we are supposed to receive the Information regarding them, so far from advancing reasons against, concurred in the Alteration of Place, and we have no sort of doubt but he will be able to reconcile the Lower Creeks, (for the Upper will not come at all) to the Meeting being held at Dorchester, especially



especially if you should think it advisable to  
 go to Augusta, and give him your Assistance,  
 as that will effectually prevent any ill design-  
 ing low People from instilling jealousies into  
 the Creeks, merely because it may be more  
 beneficial to them to have the Congress at  
 Augusta. You may observe, Sir, that they are  
 not in a humour to follow Orders, but if the  
 Creeks, or any, after so solemn an Invitation  
 on the part of your Province, should be either  
 refractory, or sulky, we cannot think they  
 should be earased, or indulged. On the service  
 we are now ordered by the King, it is our  
 Duty and Intention to promote the security  
 and advantage of every Colony concerned, nor  
 can this be more effectually done, as we conceive  
 than by convincing each Nation of Indians,  
 that the four Southern Governors act in concu-  
 rence, every Expression of Kindness will then have  
 additional weight, and the Danger of breaking  
 with us will be evidently greater, and this is  
 certainly the Spirit of the King's Intention, We  
 therefore must beg you to exert your Influence  
 with the Creeks, that the Congress may, as it was  
 intended



intended to, be general. We have not heard from Mr Stuart since he left this Place, so that, at present, we may presume he sees no further objection, tho' apprized of all Indian Intelligence, We send him a copy of your Letter, that, when acquainted with your Doubts, he may be more attentive to remove every suspicion or umbrage

We are with great regard &c

Thos. Boone

Arthur Dobbs

His Ex<sup>cy</sup>

Straw. Stauquier

James Wright Esq.

At the same time it was agreed to write to John Stuart Esq. and is as follows,

Charles Vernon, 15<sup>th</sup> October 1763.

Sir,

We inclose you a copy of a Letter we have wrote, this Morning, in answer to one received from Geo<sup>d</sup> Wright, which is also sent you, the sight of both will be a clue to you, how to conduct yourself in the removing every Umbrage, that may have been taken by, or given to, the Creeks; We depend on your using your utmost Influence, in bringing all the invited Indians

Indians to the Congress at Dorchester, and we have requested Mr Wright to co-operate with you, It is a material Part of your Duty to discover and prevent the ill effects of private Slandering and Insinuations thrown out to Indians, and to take care, as far as you are able, that they listen to Nothing but what is to be said to them by the Persons appointed by the King; You will no doubt set the coming of the two distant Governors in its full light and force, and that the Sentiments of Your Princes will be upon this occasion communicated to them publicly, solemnly, and in presence of one another, that every Nation may be apprized of the King's gracious Intention towards them.

We are, Sir,

Your most humble Serv<sup>t</sup>

John Stuart Esq.  
Superintendent of  
Southern Indian  
Affairs at Augusta.

Thos. Boone  
Arthur Dobbs  
Fran. Fauquier

Wednesday 18<sup>th</sup> October 1763.  
Yesterday in the Evening arrived an Express from  
John

John Stuart Esq. Superintendant &c<sup>a</sup> with the  
following Letter &c<sup>a</sup> &c<sup>a</sup>

Fort Augusta 15<sup>th</sup> Oct<sup>r</sup> 1763.

Sir,

I got to this Fort the 11<sup>th</sup> Current, where  
I found no other Indians than about sixty Ca-  
tauabas including Women and Children, who had  
been here about two days before my arrival,  
On the 13<sup>th</sup> in the Morning I received a letter by  
Express from Lieutenant Taylor, dated the 10<sup>th</sup>  
referring me to the Intelligence contained in  
the Enclosed Letter to your Excellency, and  
which, I imagine, contains full Accounts of  
what passes in that Nation. I likewise send a  
Duplicate of the Talk sent here from the Lower  
Creeks, by the Messenger of whom Mr Campbell  
wrote you with Lieut. Barnard's Answer, by  
which your Excellency and the other Governors  
will be able to judge of their Temper, and  
which gave me bad hopes of success in en-  
deavouring to persuade them to go further.

Yesterday, in the Morning, the Upper  
Creek Warrior Mustisiqua, with the second man  
of the Inguabachis, and a number of their  
Followers



Followers came here, with them were the Leader  
 of the Chickasaw, Paya Matta, one considerable  
 leading Man of the Chactaw Nation, called Red  
 Shoes, and about twenty Chickasaw of Note and  
 their Followers, Colbert, who had arrived some  
 days before them, informed me, that his re-  
 ception in the Chactaw Nation had been most  
 friendly, that many of the most considerable  
 amongst them, had determined to accompany  
 him down, but upon receiving news, that two  
 of their People were killed by the Creek, none  
 thought proper to venture, except this Red Shoes,  
 Colbert adds, that the Treatment, which he and  
 the Chickasaw received in their way through  
 the Creek Nation, was extremely insolent, and  
 had made those Indians extremely anxious to re-  
 turn home. Accordingly they pressed me much  
 to dispatch them; I invited them to come to the  
 Fort this day with the Catawbas and Creek,  
 I acquainted them with the Alteration of the  
 Place of Meeting proposed, and the Reasons for  
 it; The Chickasaw Leader said, He had come  
 a great way, upon my Invitation, and found  
 himself disappointed, that he was too much  
 tired

35  
tired to go any further, and should return with-  
out taking any thing amiss, as such accidents  
were often not to be avoided, that he was  
glad he had seen me, and whenever he should  
promise me any thing, I might depend upon  
meeting with no Disappointment. The next,  
who spoke, was the second man of the Creeks,  
who said, that he had come punctually at  
the time, and to the Place of Appointment, and  
expected to have seen the Governor, that it  
was their Hunting Season, when they should  
have been in the Woods providing for their  
Families, but that their time was taken up  
in this Visit, which they should not think  
lost, if I would deliver the King's Talk to them,  
and dispatch them immediately, that several  
of their own People had promised to attend the  
Meeting, who were not come, but that it seem-  
ed to be the present prevailing Custom for Men  
to speak with two tongues; I repeated the  
Reasons for altering the Place of Meeting, which  
I enlarged upon as much as the Subject would  
admit, and desired they would let me know,  
after considering the affair maturely, whether  
or



or not they would go to Dorchester, they did not  
 hesitate a moment, but positively refused to go  
 one step farther. I then asked if they would stay  
 here till the return of a Messenger I should send  
 to the Governors, this with great Difficulty the  
 Creeks were prevailed upon to consent to, they  
 have agreed to wait here ten days, at the expi-  
 ration of which time if they do not see the Gov-  
 ernors, or receive the King's message from me,  
 they are infallibly to go away, Lieutenant Bar-  
 nard sends an Express to Governor Wright, who  
 will be acquainted with what has past about  
 the time this reaches your Excellency's hands,  
 The Bearer Kallisen has undertaken to carry  
 this with the greatest Dispatch, and by him  
 I beg to be favoured with your Determination,  
 by all the Intelligence I can pick up from the  
 Traders, the Creeks were never more disposed to  
 a rupture than at this time; and as those who  
 are now here, and who are supposed to be the  
 best affected to us of any, are so jealous, there  
 cannot be any room to hope, that others, who  
 are hourly expected here, will consent to go down  
 to Dorchester. They are conscious of their bad  
 behaviour.



behaviour and (upon Indian Principles) do not chuse to put themselves any more in our Power by going further into the Settlements. The Wolfe, and a Deputation of Leading Men are now gone to Pensacola, to circumscribe the Limits of the Garrison, within such a narrow Compass, as will hardly allow them Garden Room.

The Chickasaws know the Determination of the Creeks to go no further than this Place, as all the Indians had received Information of the Alteration proposed, and had consulted upon it before they spoke with me. Pia Matta considered that if the Creeks should return disgusted, it would be dangerous for him and his People to remain here, and return through their Country after them, it was from this consideration that he refused to go down, although he has many other Objections of seeming weight, which however I should have got the better of, if this material one had not occurred.

I find it absolutely impracticable to satisfy these Indians now here with the Allowance of Provisions stipulated by Sir Jeffery Amherst; They have always been used to a very different Treatment

Treatment, and such an Innovation introduced by me would give a very unfavourable Impression of me, at my first Entrance on the Execution of my Office, besides, they would be disgusted, and would probably go off, which I would by all possible means avoid, till I am made acquainted with the Determination of yourself, and the other Governors, it being the general opinion of People here, that in such an Event a Creek War would immediately take place, and by the Intelligence I can procure I think it probable they are right.

Matters being in this Situation, I have not sent any Directions for the Boats with the Presents to return, because that may be done in sufficient time after the return of the Express for them to be at Dorchester, if any Congress do take place there.

I have the honour of being with the greatest respect

Sir, Your Excellency's

Most obedient and

Most humble Servant

John Stuart

His Excellency

The. Boone Esq.

Copy



Copy of the Lower Creek Talk alluded to in Mr  
Stuart's Letter.

Sept: 16<sup>th</sup> 1763.

The Headmen of the Lower Creeks have heard bad  
Talks, and are desirous to hear the Truth, when  
we were young Men, the Governor of Charles Town  
always spoke good and friendly to us, and told  
us, that the Path should be strait, and white to  
the Nation, and it is our Desire it should  
continue, and to let the Governors see our good  
Intentions, The Headmen of the Lower Towns will  
still hold the English fast by the hand, It is  
the Great God above that gave us the knowledge  
so to do, We have heard a Word amongst us,  
which has put us in a Fright, and don't know  
what to do, till we hear the Truth, We were  
intending down to Augusta, till this News  
came up amongst us, for we saw the Great  
King's Talk, and it was a very good one, We all  
got together to hear it, and agreeable to the White  
Peoples Desire We intended to go down, It was  
not the Lower Towns only that were sent for,  
it was all the English Friends, the Upper Towns  
do not intend to go down, and We are afraid  
that



That if only the Lower Towns go, We might be  
 detained till the Upper Towns came down, and  
 thereby might lose our Horses, These Three Ri-  
 vers are all one People, and the Upper Towns do  
 not want to go down, but We don't throw away  
 the White People's Talk, and We desire the Gover-  
 nors to send Us word, whether the Lower Towns  
 may be dispatched when We go down, When the  
 Governors see this Talk, They may consider, and  
 think that We have some reason for not coming  
 down at the time appointed, it seems you keep  
 your Talk very private, but there is Nothing  
 to be hid from the Red People, There was a  
 Red Man from the Suchiabackees went down  
 with the White People, and when he got to Au-  
 gusta the White People desired him to go back  
 immediately, and he came away according to  
 their Desire; as he returned back, he overtook  
 a Gang of Packhorses, and kept Company with  
 them to the Oahimulsee, and a White Man told  
 him several things, but whether it be true or  
 not We cannot tell, this Man that brings Us  
 this News is an old Man, and would not tell  
 lies, We have heard that the Governor of Charles  
 Town

Town intends to buy Our Lands from Us as far  
 as Ogeechee, and as high up as Broad River, and  
 the Governor of Savannah intends to buy from  
 us as far as the Fork of Altamaha, and the  
 Governor of North Carolina intends to buy as far  
 as the Oconee, We Lower People desired this Man  
 not to speak of this to any of the Towns where  
 the Murder was committed, but keep it secret, till  
 we heard the truth, and We have sent down a  
 Red Man with the White Man, and We desire  
 that the Red Man and White Man may be paid  
 for their Trouble.

All at present from your Friends

Indian Ellick	Cusculaw
Hoyanny	Chehaw
White Cabbie	D.
War King	D.
Scotch Man	Cusculaw.

Wm. Barnard's Talk to Captain Ellick, Hoyanny,  
 White Cabbie, War King, Scotch Man, and other  
 Head Men and Warriors of the Lower Creek Towns.

The Talk you sent by Sam<sup>l</sup> Thomas  
 and one of your own People I shall forward to  
 the



the Governors by the first Opportunity, but as you require an Answer forthwith, I acquaint you that there is not one word of Truth in what you have heard, you have seen the Great King's Talk, and say it's a good One, hold fast by that, and you will have Nothing to fear; The Great King is desirous of making you a happy People, and the Governors and Beloved Man, who are to meet you at Augusta, invite you with all their other Friends and Brothers of the Red People to convince you of his good Intentions, and not to ask for your Lands; they don't want any of your Lands; You see it is the Great King's Talk, that you shall keep your Lands, and you may rely on his Word he never alters.

You'll soon be convinced, when you see the Governors and Beloved Man at the Meeting, that they only want to frighten the chain of Friendship with their Friends and Brothers the Red People, and to give them a few Presents, to let them see that the Great King remembers his Red People, as well as his white children.

Continue in your first mind, come down and see the Governors, They will be here at



at the time appointed, your Hearts will be glad,  
and you will return home with joy.

You must not give ear to such Talks, They  
are made by bad designing People; the White  
People will never throw you away, but con-  
tinue your best Friends for ever.

From your Friend &c.

Present

Thomas Boone  
Their Excellencies Arthur Dobbs &

The Hon<sup>ble</sup> Francis Pangloss

M<sup>r</sup> Stuart's Letter, Cruik's Talk, and M<sup>r</sup> Barnard's  
Reply, being read, the following Letter, and Talk  
were agreed on, and sent by an Express in answer  
viz<sup>t</sup>.

Charles Town, 18<sup>th</sup> October 1763.

Sir,

We last Night received your Letter of  
the 15<sup>th</sup> Instant, and are sorry you meet with  
any Difficulty in bringing the Indians down to  
Dorchester, from your Account we have little  
reason to suppose, that the Congress will be  
general, and if that is the case, it cannot be so  
effectual as was intended, but that We maybe  
liable

liable to no blame, in spite of the Inconveniences  
which present themselves on every side, in spite  
of the Impossibility, which Skallwien represents  
of getting a Waggon to Augusta, We have resolv-  
ed to set out as soon as possible, and give you  
this Information by Express, that the Indians  
now there may wait with less Impatience; As  
those with you knew several Nations were to  
be invited, could They think it probable, that all  
would be punctual to the Time; The Cherokees  
were not at Fort Prince George the 10<sup>th</sup> And tho  
we must wait the Return of Colonel Randolph's  
Vessel, We apprehend that some Indians will  
be after us at Augusta; For the satisfaction of  
those now assembled We inclose a Talk which  
you will deliver them, and use your Endeavors  
to prevail upon them to stay till our arrival,  
but if you cannot succeed, we must beg you  
to let us know by Express, that we may not,  
by proceeding to Augusta, encounter difficulties,  
and suffer Inconvenience to no purpose. We  
hope to set out by Monday at farthest. And are,  
Sir, Your humble Servants

John Stuart Esq.  
Superintendent &c.  
at Augusta.

Thos. Boone, Arthur Dobbs.  
Fran. Langier. W.



We have detained Mr. Skalkewen to conduct us to Augusta.

Copy of the Talk  
 inclosed to Mr. Stuart for the Indians at Augusta  
 We the Governors to the Great King  
 George of his Colonies of South and North Carolina  
 and Virginia, entertained hopes of seeing our  
 Brothers of the Indian Nations at Dorchester  
 in South Carolina, there to brighten the chain  
 of Friendship between the White and Red Men,  
 according to the Directions We have received  
 from the Great King our Common Father for  
 that purpose: Which Chain we are desirous to  
 hold fast by one end; and if you are inclined  
 to lay strong hold on the other, Nothing here-  
 after will be able to break a single Link of it,  
 and our Friendship will last as long as the  
 Sun shall shine, or the Waters flow. And to  
 convince you, that Our Talk is straight, And that  
 We do not talk with double Tongues, We are de-  
 termined to set out to meet you at Augusta,  
 since you find the Difficulties so great to come  
 so near to Charles Town, No Difficulties can  
 stop Us, the Great King's appointed Governors  
 from



from executing his Orders.

We have been informed of the Evil News you have heard, that the Governours intended to possess your Lands. We take this Opportunity to assure you in the King's Name, that you have been misled by ignorant People, who do not know the Great King's Intention, which has been communicated to His Officers, and that no such Intention is harboured in the Breast of any of Us. The Great King's Design in ordering all his Governours to act in concert as one Man, and in inviting all the Nations bordering on these Colonies, to hear his Talk, was directly contrary to what you have heard, for We shall there declare, that your Lands will not be taken from you; and this is to be done before you all, and not in Secret; that no Nation of Indians may be ignorant of His gracious Intentions, and of His Fatherly Care of the Red, as well as the White.

We have sent this Talk previous to our coming, but which we shall follow immediately to convince you of our sincerity, and to induce you to remain at Augusta, till our Arrival

Arrival, that the Great King's Orders may be strictly complied with.

Done at Charles Town

N<sup>o</sup> Carolina 18<sup>th</sup> Oct 1763.

By their Excell<sup>ty</sup> Command

Steuwiche Bull Sec<sup>ry</sup>

Thos<sup>o</sup> Boone

Arthur Dobbs

Stear: Gauguier

And then the undermentioned Letter was sent by Express to His Excell<sup>ty</sup> Governor Wright.

Sir

Char: To. N<sup>o</sup> Car: 18. Oct. 1763.

Having last Night received a Letter from M<sup>r</sup> Stuart, mentioning the Disinclination of the Indians now assembled at Augusta to proceed downwards to Dorchester, That nothing may be wanting on our parts, to fulfil His Majesty's Directions, We have agreed to set out for Augusta by Monday at farthest.

And as M<sup>r</sup> Stuart informs Us, that you are apprized of by Lieutenant Barnard of the Indians Resolution to come no farther, we take it for granted we shall meet you at Augusta.

We are, with great regard  
Sir, Your Excell<sup>ty</sup>

Mosb

Most obedient and most  
humble servants

The<sup>r</sup> Borne

Arthur Dobbs

St. James's Place

His Esq<sup>y</sup>

James Wright Esq<sup>r</sup>

The Ways and Means to raise Supplies to pay  
Contingencies such as Expresses &c<sup>a</sup> &c<sup>a</sup> being  
debated and duly considered the following Expedi-  
ent was approved on as the ensuing Letter  
will more fully explain viz<sup>t</sup>

Charles Town, S<sup>c</sup> Carolina  
18<sup>th</sup> October 1763.

Sir,

We have this day drawn a Bill of  
Exchange on you for £100 sterling at 30 days  
sight in favor of Robert Hafer Esq<sup>r</sup> in conse-  
quence of your Letter of the 11<sup>th</sup> June to Governor  
Borne regarding the Indian Presents, which  
arrived safe, Presuming that by this time you  
are in cash for their Amount, and that the Resi-  
due of the Money, given for this service remains



in your Hands, if We should be mistaken We beg  
you will present Our Bills to the Secretary of State  
that they may be duly honoured for no other Me-  
thod is pointed out to Us how we should defray  
the Contingencies of this Southern Congress.

We are, Sir

Your very humble Servants

To

M<sup>r</sup> Samuel Smith  
Merchant in Cateaton  
Street - London.

Thos<sup>r</sup> Boone

Arthur Dobbs  
Fran. Fauquier

Charles Town

18<sup>th</sup> October 1763.

Sir,

At Thirty Days eight Pay this first  
of our Exchange (second and third of the same  
Tenor and Date not paid) to Robert Kaper Exp<sup>r</sup>  
or his order, the sum of One Hundred Pounds  
Sterling being for value rec<sup>d</sup> of him for the  
Contingencies to the Southern Congress.

We are, Sir,

To

M<sup>r</sup> Samuel Smith  
Cateaton Street  
London.

Your humble servants

Thos<sup>r</sup> Boone

Arthur Dobbs

Fran. Fauquier Which

Which Bill being ordered to be sold the Secretary  
Henricke Bull did sell the same to Mr. Kaper  
for £ 721 Currency the present price of Exchange  
and the said Money was ordered to be vested in  
the hands of the said Henricke Bull as Treas-  
urer to enable him to answer contingent De-  
mands relative to this Southern Congress, and  
that he be accountable for the same.

Thursday 20<sup>th</sup> October 1763.

Arrived Colonel Randolph from Georgia in  
the Scout Boat and brought the following Letter  
from his Ex<sup>ty</sup> James Wright Esq.  
viz<sup>t</sup>

Savannah 18<sup>th</sup> October 1763

Gentlemen,

I had the honour to receive yours  
of the 14<sup>th</sup> Inst last Night by Colonel Randolph,  
and another this morning by Jeyner, and had  
the Indians proceeded down to Dorchester, I should  
have set off immediately for Charles Town, in  
order to have contributed to the utmost of my  
Power, every thing that might appear necessary  
on the occasion, but this morning I rec'd  
Letters

Letters from Augusta, in which Mr Stuart acquaints me, "That after explaining to the Indians the Motives that induced the Governors to alter the Place of Meeting, he put the Question whether or not they would proceed to Dorchester, to which both the Chickasaws and Creeks answered flatly in the Negative, that he then desired to know if they would wait the return of an Express, which he would immediately dispatch to the Governors, which they also at first refused. But after much persuasion he had prevailed on them to wait the ten days, at the expiration of which time they will undoubtedly go away, if none of the Governors get there."

I am therefore to acquaint your Excellencies, that agreeable to what I wrote you in my last, I shall proceed to Augusta instead of doing myself the pleasure of waiting upon you in Charles Town.

I am with great regard

Your Excellencies most obedient and

their Obedt

The<sup>r</sup> Berne

Arthur Dobbs & the

Hon<sup>ble</sup> Fran. Langier, Esquire.

most humble servant  
James Wright

Perth



Fort Augusta, 20<sup>th</sup> October 1763

Gentlemen,

Last Night I was honoured with your Excellency's Letter of the 15<sup>th</sup> Inst. enclosing a Copy of Geo<sup>rd</sup> Wright's letter of the 11<sup>th</sup> and your Answer, and before now Geo<sup>rd</sup> Boone must have rec<sup>d</sup> my letter of the 16<sup>th</sup> by Express in which I fully informed him of my transactions with the Indians, and of their absolute refusal to proceed to Dorchester. The Lower Creeks and Cherokees will be here this day being only a few Miles off the Upper Creeks of whom a considerable number are here, remain firm in their Determination to proceed no farther into the Settlements, and their Resolution will determine the Chickasaws.

A Regard to your Excellency's convenience induced me to acquiesce in your Proposal of altering the Place of Meeting, and to use my utmost Endeavours to reconcile the Indians to that Measure altho' I then expressed a doubt of being able to prevail on the Creeks to proceed further into the Settlements. Having had no Intelligence from the Upper Creeks, Chactaws & Chickasaws, or Answer to the Invitation I  
sent

sent them on the part and by order of the King, to meet your Excellencies, and me upon the special service we have in charge, I could not be certain of success, and I did not doubt but your Excellencies had resolved on the Measures to be pursued by you in case of a disappointment, I am conscious of having done my duty by endeavouring to remove their jealousies and using every argument that occurred to me to induce them to proceed, if the Indians be privately tampered with (which I suspect) it must be by the Traders, the very Channel through which I am obliged to converse with them, my best endeavours to engage the good Offices of the Traders on this occasion have and shall not be wanting but my Influence may possibly be very insufficient, for as Matters are now situated, they have nothing either to hope or fear from my Authority as Superintendant, but perhaps Mr Wright's endeavours may be more efficacious & I learn that he is soon expected.

Upon the whole as I shall use all possible Means to accomplish what I came about If I fail I hope to be free from censure  
and

and Blame

I have the honour of being with the greatest respect  
Gentlemen, your Excellencies

Most obedient humble servant

Their Ex<sup>cs</sup>

John Stuart

The<sup>r</sup> Brone

Arthur Dobbs & the Hon<sup>ble</sup>

Wm. Stanger Esq.

P. S. The Cherokees are just arriv'd. I am sorry  
to hear that a Boat with some Presents on  
board her is sunk in this River. I send down  
two Boats to lighten the rest, which are said  
to be deep loaded which however shall not prevent  
any Directions you may think fit to send rela-  
tive to the Presents being complied with.

Fort Augusta. 23<sup>d</sup> October 1765.

Gentlemen,

On the 21<sup>st</sup> late at Night I had the  
honour of receiving your Excellencies letter of  
18<sup>th</sup> instant. I am sorry to acquaint you that  
my endeavours to carry the Indians to Dorchester  
have proved unsuccessful. the Creeks & Chickasaws  
will not hear of going one step farther. of the  
Upper



Upper Creeks there are now here about seventy including some women, there will be a few from the Lower Towns of that Nation who are now at Mr. Galphins.

Obedient to your Ex<sup>t</sup> desire I went yesterday to the Creek Camp, where I convened the Chickasaws, Cataubas and the Chaetaw King; I delivered to them your Ex<sup>t</sup> Talk, and having waited some time desired to know their Answer, They told me they had no particular Answer to give, that they had heard your Talk and should think of it, I was surprized at the indifferent dissatisfied behaviour of the Creeks, but I soon after discovered the cause, the Interpreter came to me in less than an hour after I left them and acquainted me that all the Creeks were setting out on their return home, One of their Nation who for many years had resided in the Chickasaw Camp, near this Place, went to his Countrymen yesterday in the Morning and told them that we had determined to take revenge for the late Murders committed by the Mortar, and that some particular people amongst them were pitched upon as the sacrifice, They were

were naturally alarmed and would have all gone off without my knowing the reason, if the affair had not been made known to us by the Chickasaw Leader; I immediately sent for some of their Head Men who I endeavored to convince that what had been told them was false, and desired that the Indian from whom they had received their Information should be brought to the Fort this Forenoon, that I may have an opportunity of talking to him before their faces, I look for them in less than an hour. The Cherokees are all arrived about three hundred including Women and Children, almost all the Head Men in the Upper and Lower Towns are amongst them. The Great Warrior sends word by the Little Carpenter that the Creeks have bad Intentions and that his Presence at home is absolutely necessary to prevent his young Men from going to War against them, that this is the true cause of his not being here, and not any jealousy or doubt of his personal safety.

The Indians being perpetually coming and coming I cannot be exact as to Numbers, but  
think



think there are 500 or more including the Lower Chickasaws.

If your Ex<sup>ty</sup> have any particular commands I shall with the greatest cheerfulness execute them being with the greatest respect  
Gentlemen, Your Ex<sup>ty</sup>

Thine Ex<sup>ty</sup>

Thos. Boone

Arthur Dobbs

the hon<sup>ble</sup> Fran. Duquien  
Esquires.

Most obedient and

Most humble servant

John Stuart

Copy of Mr. Colbert's Journal as enclosed in the Superintendent's letter to the Governors viz<sup>t</sup>

Augusta 13<sup>th</sup> July 1763.

I set out with an Express to the Upper Creeks, Chaetaws and Chickasaws.

19<sup>th</sup> I arrived in the Okechoy and called all the Headmen of the Upper Creeks together, and was well treated there by pointing their guns at me.

23<sup>rd</sup> I set out from the Chaetaw Nation, on the way I met with Mr. John Buckles and three Chaetaws one of which went back with me.



29<sup>th</sup> I arrived in the Chactaw Nation and on my arrival I called all the Headmen of the Chactaws together and there delivered my message, but none of the Headmen of the French Party would come to hear it; The talk was very agreeable to them of the English Party, and they all with one consent agreed to come down.

August 3<sup>rd</sup> I arrived in the Chickasaw Nation (Two days before my arrival there) there came a Chactaw fellow from the Brud Camp giving an account that the Creeks had killed the Chactaw that went to the Brud Camp with Mr Buckles and that he the same fellow, narrowly made his escape. Four Chickasaws that had been at War, and having strayed from the rest of their Gang came on a Camp of People and killed three Frenchmen and two Indian Women and took a Negro boy alive.

5<sup>th</sup> I had a talk with the Headmen of the Chickasaws, and they were all agreed thereto.

12<sup>th</sup> A runner came to me from the Chactaws and acquainted me that none of them would go down on account of the Creeks being at War with them.

13<sup>th</sup> This Day I sent a Runner back and on the 22<sup>nd</sup> I received an Answer that none of them would go down by reason of the Creeks killing one of their People and threatening Destruction to them all, and that if they should go down, it might be a detriment to their Brethren the Chickasaws, for which Reason they referred it, and concluded to go to War to take satisfaction for the Man they lost.

25<sup>th</sup> News came from the Creeks, that Three White Men were killed and all their Goods taken and that the Mortar threatened to kill every White Man that should come up to the Chickasaw Nation.

28<sup>th</sup> A Headman came from the Chahta and desired the Chickasaws to act for them, as they would for themselves, and the Chahta would stand to everything or Proposal the same as if they themselves were present.

30<sup>th</sup> The Chickasaws held a Council whether it was proper for them to go down or no, and after five days deliberation, they concluded to go down, and pitched on the 7<sup>th</sup> day of September for their setting off.

Sept. 17<sup>th</sup>

Sept<sup>r</sup> 17<sup>th</sup> I arrived at the Brind Camp and there met  
with the very bad Talk, hearing of the Creeks threat-  
ning to kill the Chickasaws.

23<sup>rd</sup> I set out from the Brind Camp.

25<sup>th</sup> I arrived in the Nankakoes with the Chicka-  
saws, and was well treated there.

26<sup>th</sup> I arrived in the Okechey with the Chickisaws  
and there I invited the Okechey King down, all  
the reason he had for his not coming was  
that the Governor would not send him a  
Negro Boy to mind his Stock while he came  
to see the Governor.

27<sup>th</sup> The Chickisaws had a Talk in the Okechey  
Square giving very good Talk, and the Okechey  
King told the Chickisaws that if it was good  
Talk, that the Governor gave below, it would  
be better Times than ever has been: But if  
bad Talk, he would not cut his Land in Pieces  
and give it away to the White People for nothing.

Wednesday 2<sup>nd</sup> Nov<sup>r</sup> 1763.

Arrived at Fort Moore on Savannah River in  
the Province of South Carolina, their Excellencies  
Tho<sup>s</sup> Boone, Arthur Dobbs and the Hon<sup>ble</sup> Francis  
Mauquier



Haquier Esq.<sup>s</sup> &c<sup>a</sup> &c<sup>a</sup> &c<sup>a</sup> from Charles Town,  
when their Excellencies sent over to Augusta to  
his Ex<sup>ty</sup> Governor Wright to inform him of  
their arrival, and that they proposed to meet  
him the next day at the King's Fort Augusta  
at 10 o'clock in the morning to proceed to Business.

And his Excellency Governor Wright, by  
return of the said Messenger informed their Ex<sup>ties</sup>  
of his readiness to meet them agreeable to their  
Proposal.

Augusta in Georgia

Nov. 3<sup>rd</sup> Hora 10.

Present Their Ex<sup>ties</sup>:

(James Wright  
Arthur Dobbs  
Tho<sup>s</sup> Boone

The Honble Fran. Haquier Esq.  
with John Stuart Esq. Superintendant &c<sup>a</sup> of  
Southern Indian Affairs.

When a Talk was prepared, agreed on, and  
ordered to be engrossed and the several Inter-  
preters were ordered to inform the respective  
Indians that the Congress would be opened the  
next day being Friday the 4<sup>th</sup> at 10 O'clock in  
the Morning.

And

And at which time the Governors attended to give their Talk, but the Upper Creeks having a desire to consult the lower Creeks, requested that it might be postponed till Saturday the 5<sup>th</sup> at the same Hour and Place.

Which delay however extraordinary as they were only to hear they were notwithstanding gratified in.

Augusta 5<sup>th</sup> Nov<sup>r</sup> 1763.

Present

Their Excs<sup>ts</sup> { James Wright  
Arthur Oatts  
Thos<sup>t</sup> Boone

The Hon<sup>ble</sup> Fran. Staunton &  
John Stuart Esq<sup>r</sup>

Chickesaws { Apoyamatahah, Pouchematahah, Hou-  
pastutah, Piamatta, Apoyamingo,  
Hourahumatahah, Apoyamingo, Jock-  
eyson, and so more Warriors &c<sup>a</sup>

Chaetowos { Red Shoes and Shapahomah

Creeks { Capt. Ellick, Vampiasfi, Bohotcher,  
Sawreckah, Boyrouccha, Hellabasunaga,  
Scrimicho, Poyhucher, Poyhuchy & their  
Followers Attakulla Kulla

Upper & Lower

Cherokee  
 Over Hills  
 Lower Towns  
 { Attakullatulla, Ostinakow, Prince of Chero  
 Willenawau Outor, Skiagusti of Shoto  
 Moitey.  
 { Sister of Mowee, The Wolfe, Hookonata,  
 Mankiller of Mowee, Good Warrior of  
 Estatoi, Young Warrior of Estatoi, the  
 Warrior of Lugoi &c.

Middle Settlement Will. Headman of Watteyah &c.  
 Catawbas Col. Ayres and his Followers.

Total Number of Indians abt 700.

Interpreters  
 James Colbert for the Chickasaws & Choctaws  
 John Butler }  
 James Beaman } For the Cherokees  
 & John Watts }  
 Stephen Horrost }  
 & John Proctor } For the Creeks  
 And they being sworn

Col. Ayres the Catawba Chief was al-  
 lowed to interpret for his Nation.

The Conference was opened by Governor Wright  
 in consequence of its being in his own Province.  
 He observed to the Indians that the day was fair,  
 and hoped that the talks would not prove other-  
 wise; That the several Governors had pitched  
 upon



upon Captain Stuart to deliver their Sentiments,  
That They were agreed upon the Declarations to be  
made to the Indians and desired them to pay at-  
tention to what M<sup>r</sup> Stuart offered as They were  
the Words of all the Governors. And each respective  
Governor for himself desired the Indians to look  
upon what M<sup>r</sup> Stuart said, as said by the respec-  
tive Governor himself. M<sup>r</sup> Stuart accordingly began  
as follows

Friends & Brethren

We are come here in the Name &  
by the Command of the Great King George, who  
under God the Master and Giver of Breath is  
your and Our Common Father & Protector.

The Talk you are now to hear is from  
the Great King and ordered to be delivered to you  
by Your Governors of different Provinces, and the  
Superintendent who is equally connected with all  
for this reason he is pitched upon to be our mouth

Our Words, Our Hearts, Our Intentions  
are the same, as our respective Provinces join to-  
gether so are our Interests inseparable.

No Conference was ever intended to be more  
General, None more friendly.

This

This is not a partial Meeting of one Nation of Indians with one Governor, but the Great King's good Disposition towards his red children is to be communicated to you in the presence of one another.

His Goodness is as extensive as the Dominion He possesses, At a Time when he has nothing to apprehend from any Enemies, he opens his Arms to receive his red Children, and he does it the rather at this juncture as he knows the Inimicities and Falshoods which have been formerly circulated among you, by the perfidious and cruel French.

We desire you to recollect in how many Instances they have misled and deceived you, you will remember their Lies, and have been the Dupes of their promises.

They are never easy unless engaged in Mischief themselves, or when engaging others, incapable of supplying your wants, They endeavour to detach you, from your best and only Friends the English.

The Great King who wishes to extend the Commerce of his Subjects, to live in Peace and Friendship, and relieve the distress of all Mankind



Mankind, bore with uncommon Patience the repeated Insults of excessive cruelties, which the French alone could perpetrate, to Cruelty they added Treachery and Perfidy; Fair Speeches were in their Mouths, but Mischief in their Hearts, and when they did not act openly themselves, they deceived and Instigated the Red People to outrages which could only end in separating them from the White People, with whom they ought for the advantage of both to be united.

At length when the Great King saw his Moderation disregarded, his Children plundered and destroyed, and that the French were resolved to contend with him for Superiority; that One Country in short could not hold them both, he then exerted himself like a Man, and in a short Time defeated and humbled that perfidious Enemy, and also the Spaniards who by the fatal and mischievous practices of the French, had been involved in the Quarrel.

The King has now given Peace to both Nations, and to prevent the revival of such Disturbances and Troubles by Repetitions of such dangerous Proceedings, and for this Purpose only he



he insisted in the Treaty of Peace that the French and Spaniards should be removed beyond the River Mississippi, that the Indians and White People may hereafter live in Peace & Brotherly Friendship together.

It will be your Faults if this does not happen for we are authorized by the Great King to give you the most substantial Proofs of our good Intentions and desire to live like Brothers with you.

If you bring the same Friendly Disposition what can you desire more than the Repetition of the assurances already given you by the King's Orders with regard to your Lands which we now from our hearts confirm.

Do we not act like Friends and Brothers, when we declare that all past offences shall be buried in Oblivion and Forgiveness; and this we do because we are persuaded that the French imposed on your Credulity & deceived you.

Do you wish for anything more than to be plentifully supplied with goods by the White People who alone can supply you; this we promise you, but it must also depend on yourselves.

yourselves, for those Nations where Traders reside must provide for their security, or no Man will stay with them.

Besides this we engage as far as we can for ourselves and those under our Control to manifest an Attention to your Interests, and a readiness to do you justice upon all Occasions. Lastly we promise you faithfully & solemnly that those Ports now ceded to us by the French shall be employed for your protection, assistance and convenience, and for the better carrying on Trade with you, by which we all shall be benefitted.

Consider now like Wise Men whether this is the language of ill designing People whether there is any reason at this time to make you such friendly assurances, unless it was our Intention to keep our Words.

The White People value themselves on speaking Truth, but to give still greater weight to what we say, the Great King has thought proper as He observed before that His four Governors and the Superintendant from a great distance should utter the same Words  
at



at the same time, and to remove every Umbrage or  
jealousy, that you should all hear them in Presence  
of one another in case He should even hereafter  
act contrary to our Declarations.

Given at Fort Augusta  
in the Province of  
Georgia, 5<sup>th</sup> Nov<sup>r</sup> 1763  
by order of Their Ex<sup>ty</sup>  
Seniwick Bull. Sec<sup>ry</sup>

James Wright  
Arthur Dobbs  
Tho<sup>s</sup> Boone  
Fran<sup>s</sup> Hauguier  
John Stuart

His Ex<sup>ty</sup> James Wright informed the other  
Governors, that, if their Secretary Seniwick  
Bull was in want of an Assistant to copy Talks,  
or any Business relative to the Congress, he  
had with him an able Gentleman Mr<sup>r</sup> Boy,  
Secretary for Indian Affairs in his Province  
of Georgia, and he was, for the sake of dispatch,  
employed accordingly.

And then the Congress was adjourned till  
Monday the 7<sup>th</sup> of Nov<sup>r</sup> Hora 11. at which time  
the Indians promised to give their Talks.

The Talks  
of the Chickasaw, Upper and Lower Creeks,  
Chaetow



Chactaw, Cherokee, and Catawba Indians to Their  
Excellencies.

James Wright	} Esq. <sup>l</sup> Gov. <sup>r</sup> of	{ Georgia N <sup>c</sup> Carolina S <sup>c</sup> Carolina
Arthur Dobbs		
Thomas Boone		

The honorable Fran. Manguier Esq. Lieut Governor of  
Virginia, and John Stuart Esq. Agent and Super-  
intendant of Southern Indian Affairs, at Fort  
Augusta, Monday the 7<sup>th</sup> & Tuesday 8<sup>th</sup> Nov<sup>r</sup> 1763.

James Colbert Interpreter for the Chickesaw

Pia Matta, a Chickesaw Leader delivered himself  
to the following effect,

That he had been here a long time and  
would give his Talk first, and then give leave to  
the Creeks; That the Day was at length come, on  
which he hoped to see his Dearly Beloved  
Brother of Charles Town and also the other Gov-  
ernors. And now the Day is come he will give  
his Talk. That he is come to return Thanks for  
the Services already done them, and says that  
if it had not been for the Assistance of Their  
Excellencies he should not have been here at this  
time. He was the Man that sent Express, when  
in

in want of things, and is ready to give any  
 proofs of his Attachment to the English; You  
 must not look on him as on other Indian Na-  
 tions, for he is True and Trusty, he and his are  
 few but faithful, that he has no Fault to find,  
 as none have been found with them; That he,  
 of late, heard of no Mischief being done by the  
 Chickasaws, that he looks on the White People  
 and them as one; that They are as good Friends  
 as if They had suck'd one Breast. Altho' his  
 skin is not white, his Heart is so, and as much  
 so as any White Man; He has now done on that  
 Subject, and will proceed to something else.

He wants not to imitate other Indian  
 Nations, and declares he cannot do without  
 the White People, and that he believes it is  
 the same case with all the Red People, he can-  
 not find out the reason why other Red People  
 are not as he is, he leaves it to the Governor  
 to find it; yet he will give his Sentiments,  
 viz<sup>t</sup>. He and every one with him are of opinion  
 that so many White Men being among the  
 Indians, as Traders, is the occasion thereof, and  
 he thinks in time it may be his Care, to act  
 like



like other Red People, the great Numbers of Traders create Disturbances between the Red and the White People; He has a very great regard for the White People, but they have not for one another this is from his heart, and he hopes to be believed, The young People may become outrageous, and mischief be done, because the Traders will not stay in one place; and before he can interfere Harm may happen; He hopes not to be doubted as to the Truth; He therefore desires that the Head Men may be asked, and they will confirm what He says. He never saw either of the Governors, yet was always in their Interest, as having heard well of them, and is willing to convince them in any shape. He has now given his Talk and would be glad of an answer.

Which Request being considered, he was desired to proceed, and he should have an Answer to the whole at once.

He then went on as follows, viz<sup>t</sup>

Many White People go thro' his Towns, to trade with the Chactaw; He won't not have the whole stopped, the Number only lessened. And, upon his being asked what  
Number



Number would be sufficient to supply his own Towns? He replied, Eligh Rider and John Brown were enough, and he desired no more.

Pouchymatay had the Second Man of the Chickasaws then said, it is not out of any Ill Will to other Traders but that the two above mentioned have always been with them. He is heartily glad to see his Brothers here in good health, and that he only reminded his Brother Pia Matla relative to the above two Traders.

### Creek's Talk

Stephen Forrest Interpreter.

Captain Ellick for the Upper and Lower Creeks delivered himself thus;

He is glad to see you all here, and having received a good Talk, will now give his right.

It is not his own Speech, but of the whole Nation put into his Mouth by them. The Talk is much the same as formerly given, there is no need of variation, all the Headmen Upper and Lower have given their Talk, and heard that of the Governors with satisfaction, and as for the Absentees of the Creeks, They have  
sent

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sent word, They will abide by the Proceedings of those Present.

Formerly They had a good Talk from the great King George, and such shall always remain with them, that the Lower Towns were always well inclined, and as for the White People, he desires they may remain quiet amongst them.

Tellitsher the Second Creek then declared, that the Red People were formerly ignorant, but God Almighty and the King of England had made them otherwise, and proposed that the Lands above the Rocks should remain unsettled, and that the Line between the White People and the Indians Hunting grounds should run from the Rock down to Savannah River, and the other way from the said Rock to M<sup>r</sup> Galphin's Cow Pen, from thence to the Lower Ford on Ogeechee River near the Settlement of one Lambert and from thence to cross to Santa Cecilia to the Altamaha River.

Little River by no means to be settled but from thence. He talks nothing but good Talks, and hopes none others will; That the children in the



the Place described may grow up and flourish, the White People may settle the Inside of the River St. Johns to Augustine.

St. Johns (a Marsh) the Spaniards only possessed, the English must not exceed the same Bounds, as from thence is their Hunting Ground. He has described the Bounds of the Lands to the White People, and hopes they will make no encroachments upon them.

And then Capt. Ellick said, that the Lands he was settled upon were run out, and as the Governor of Georgia knew nothing of it, he desires to know from the four Governors the Reasons of it.

Then Sellscher says, that no Settlements should be made by the White People at Pensacola but within the Ebbing and Flowing of the Tide.

Mobile to be settled in the same manner, the Tide to determine the Line.

Breed? The Path shall be kept open to the Indians that are peaceable of the Brad (or Chickasaw) Nation, he is very glad to see the Governors, and gives a good Talk, and hopes it will be received as such.  
Sampiaffi



Sampiaffi or Hoel Harry, then said, as the Gov<sup>r</sup> had heard the rest of his Nation, he hoped they would hear him, and then desired them not to suffer any People to trade in the Woods, but to go into the Towns to trade, no Rum to be sold to the Indians in the Woods, because the young People there got drunk, and disposed of their Skins for that Commodity, and so were rendered unable to pay their debts to the Traders in the Nation, which frequently occasioned quarrels, and Mischief among them. He speaks boldly before the Whites and Red, and that the Red often send Runners for Rum, which he desires may be prevented, and if the Govern<sup>r</sup> will not forewarn the White People, he will not kill them, but he will take all they have from them, and ask them if they are French or Spaniards.

The Young Twin said, his Father was a Great Man, he behaved well. When he died, the White People thought proper to receive him 8 years since, and none but bad Talkers have been since then because he was a Boy. A Commission was given him for Peace, but as Blood has been spilt, he desires to return  
his

his Commission, as he is not minded in the Nation being young, though he gives up his Commission, yet he will hold out his hand to the White People.

Mico Hathee, a Coweta King, informed that his Brother died on the Path, and that he went to Savannah and Governor Wright gave him a Commission... which he produced.

Musisiqua having declared to the same effect, finished the Creek's Talk.

Colbert Interpreter for the Chactaws.

Red Shoes, the Chactaw Leader declared he was a new friend, his Talk is nothing, and he hopes it will be accepted. The Invitation sent up by the Four Governors and the Great King was received cheerfully, and intended to be complied with by the whole Nation, but an accident happened on the Path, which prevented their coming down; He is now come to affirm his Attachment, he always was faithful; the Peace between the Chickasaws and him hath been faithfully kept. Now he wants his Nation to be under the English as well as other Red People; and as a proof of his sincerity, anything required.



required of their Nation he will to the utmost of  
his Power comply with.

Watto Interpreter for the Cherokee  
said his Friend desires he may be listened to,  
This is the Day appointed as well by the Great  
Being above, as by the Governor, he is now as  
well with his Red Brothers as the White People,  
and desires the Governor and Captain Stuart  
may see the Testimonial the Great King George  
presented to him in England, he hath and al-  
ways will take care of the same, (which Testi-  
monial is a Certificate of his having been at  
the Peace of Williamsburg in Virginia and ob-  
tained leave to go home to England in a Man  
of War, was graciously received there and sent  
back again in a Ship of War.)

And then the Prince of Choto said now  
you Governor are all here and Captain Stuart,  
he desires you will all smoke and then he  
will give his Talk, And when they had all  
smoked with him, he proceeded and said, now  
you beloved Men are met together, he is a Be-  
loved Man as well as you, he knows nothing  
that



that may happen, the Being above only knows, he has a House at Choti, where the Beloved Talks are made, and all the Warriors may hear, he has made a Path from Choti to the English, he hopes nothing will ever spoil it, he gave a string of Beads with three knots and said the middle Knot represented Fort Prince George, the one End his Town of Choti, the other Charles Town, and he hopes the Talks and Paths will always be straight, the King George has sent a good Talk, the Path shall always be kept straight to hear good Talks.

Then Attakullakulla, the little Carpenter, observed that it was a great while since he heard the Invitation, but he is now come and will give his Talk. You are all acquainted with his good opinion of King George, and there is no need of repetition, 'twas at his own Town he heard this Invitation, and he is now come and is glad to see the several Nations. Gave a String of Beads. . . . And then said the Great Warrior had a Talk with him before he came away, but he is now gone down the River to look after his People, the Great Warrior sent Beads as  
a

a Testimony of his Friendship for the White People  
 and good Intentions towards them... Gives the  
 Warriors Beads... Choti is the Beloved Town and  
 there is none but good Talks, he hopes to hear  
 none else. He lives at the farthest Town and  
 all that passes between the Governor and him,  
 shall be remembered, and the Path kept straight,  
 this is the Day that the Great Being above made  
 for this Purpose, and that We below know nothing,  
 The King sends his Messengers with all necessa-  
 ries, and he hopes will always continue to supply  
 them... Gives a Belt of Wampum... Some of the  
 Young Men have been Rogues, but tis over and  
 he hopes the Governor will forget it, he will  
 endeavor it shall be no more repeated, he pities  
 all in Distress and will do all in his Power to  
 help them... Gives another Belt of Wampum...  
 He hopes you are unanimous, he has lost some  
 of his People, but as you forgive, he will he  
 promises you, to make reparation for future  
 injuries, and hopes you will do the same, and  
 that there may be no more bad Talks... Gives  
 a String of Beads... His (over hills) Brothers  
 have sent down a String of Beads with their  
 Talk



Talk which shall be a good One.

As We came along many of the Warriors of the Valley were at a loss to know what the Invitation meant, and they have sent Beads to be informed. He has but one Tongue, and hopes that there will be none but good Talks, he has lost over-hills men, and Lower Towns yet he hopes the Children now will grow up in Peace... gives a String of Beads.

It is very rare at his Town to see any Goods brought amongst them, which distresses them much, he expects to see Goods brought amongst them that they may purchase with their Skins &c. As his People are now a Hunting, if the Traders will come with Goods, they shall with safety, if anything happens, it will be supposed to be done by the Northward Indians, Enemies to the Cherokees as well as White People.

He is now to beg leave that a Trade may be carried on over the Mountains and a price set on the Goods. Some People did come from Virginia but had exorbitant Prices, and got their Skins almost for nothing, they being in Distress, he took little Notice then, as he was soon to see you, he



he did not know but that the Governor had given such orders as respected the Prices, but as he was present before the Governor he wanted the matter cleared up. And he, Attakullakulla, gave a Talk to the several Nations of Indians viz<sup>t</sup>

He has now met all the Red People of various Nations, and will now give his Talk to them, He has heard a many Lies from the Coxsaws and that way, but he is now intending to make the Path straight, he says the Governor by the Great King's Orders, sent for them all together and not to dwell together in enmity but like Friends and Brothers.

He desires all People here will remove Blocks that may obstruct the Path to and from Chota, he says the beloved Headman of Chota sits under a White Flag, and wishes to preserve it from Blood and anyone who may make it otherwise will be found out. He says in the Spring of the Year some of his People a hunting were killed among the Creeks (not by desire of the Beloved Men) but it will be no more thought on, as he hopes they will not be guilty of the like again, he or his People bear no ill Will to the  
Southward

Southward Indians but the Northward Indians are troublesome, when any Mischief is done, they are always sure to find out who they are, as a little Bird always tells from the Top of a Tree. He has no more to say but promises to keep clean his Path in future and hopes they will do the same. . . . Gave a String of Beads.

The Prince of Chote presented a Pipe and some Tobacco, as a Testimony of Friendship between the Cherokee and White People.

Capt<sup>m</sup> Ellick (a Creek) mentioned the frequent Stealing of Horses by both the Creeks and White People, and proposed the preventing it for the future.

Col<sup>l</sup> Ayres, Chief of the Catawbas said (in English) he always minds the White People, the King George's Talk and Four Governors are all good, to day all the People meet here, he hears all the Red People and White right well and they talk good (Gives a String of Beads) these are white Beads all, none black, all for King George and the Four Governors, They all send a Talk, a good Talk to the Red People. He and His People are as White Men, and is well pleased with what



what he has heard, he did and will keep it to his Heart, he goes to sleep and rises, but never loses the Talk of the White People, the Catasthas and he are all of one mind. All the Indians that are now good, Their Children, should be suffered to grow up, he has very little to say, he lives among the White People, and came to hear the Talks of Others, he holds fast his Commission, receives none from the French, and in consequence of his Commission from his Brethren the White People he came to hear the Talks of Others.

He informed the Governor his Land was spoiled, he had lost a great deal both by Scarcity of Buffaloes and Deer, they have spoiled him 100 Miles every way, and never paid him, His Hunting Lands formerly extended to Red, Broad River &c but now is driven quite to the Catastha Nation, if he could kill any Deer he would carry the Meat to his Family, and the Skins to the White People, but no Deer are now to be had, he wants 15 Miles on each side his Town free from any Encroachments of the White People, who will not suffer him to cut Trees to build withal, but keep all to themselves.

after

After having finished his Talk to the Governors, he presented Strings of White Beads to each of the Nations of Indians in which he desired them to observe there was not one black one amongst them, and that he presented them as Tokens of the Friendship he professed for them all, and which he desired might continue.

Augusta Tuesday 8<sup>th</sup> Nov<sup>r</sup> 1763.  
Present

Their Excellencies the Governors, Superintendant, Interpreters, Indians &c<sup>a</sup> as at the Congress yesterday.

The Reply to the Indians requiring more time than was expected, the Governors informed them that it should be delivered the next day being the 9<sup>th</sup> at 11 o'clock in the Morning. But in the meantime if any of the Tribes of Indians had anything to add to their former Talks the Governors were ready to hear them, when Ellick a Creek Indian (by the Interpreter) said the Four Governors here are all beloved, & he is appointed to speak, he saith half of his body is English and half Indian, therefore he holds



holds both by the Hands, the Talk the Governor gave was in writing, he cannot write, yet his heart is the same in Inclination, he now speaks for the Upper, Middle and Lower Towns, and acknowledges that the King was good in giving such a Talk.

Second Creek added as the King has been so good to forgive, and give them a good Talk he is in hopes the children will grow up without interruption on either side, there is a Road to Charles Town, and the line of Ogeechee is the Line for the White People to grow between.

And then Ellick resumed, and said to prevent any future Disturbances, the upper Part of the Ogeechee shall be the Hunting Grounds, beneath that free for the White People. That when this Country was settled Savannah River was the Boundary, and any Negro, Horse &c. that strayed beyond the same was returned for a Gratuity formerly agreed on. But now the Ogeechee is the Boundary, any Negro, Horse, Cattle &c. that exceeds such Bounds, he declares openly and in the Presence of all the Governors he

he will seize and keep.

They were then reminded that the gratuity formerly offered for returning such Negroes &c. insisted, upon which they agreed to comply with the Terms.

Attakullakulla or the Little Carpenter (by Walter the Interpreter) said many White People are assembled here, and he is very glad to see them, White People are settled beyond the Long Canes, they may stay there, but must proceed no further; the white People and his are as one, and when they meet in hunting good behaviour may be, by and between both, the Lands towards Virginia must not be settled nearer the Cherokee than the Southward of New River, Hunting is their Trade, and they have no other way of getting a living.

Gave a String of Beads.

Now he is before the Governor he desires they will order Traders to his Town, there is a plentiful Store at Seneca, but it is a long way from him, and it is very hard work to carry Leather over the Mountains, and a long way for the Women to fetch any small matter, he

desires



desires good Traders, & said Men, not young rioting  
 Fellows who commit Disturbances. & Traders  
 will be sufficient, and to have them placed in  
 the Towns.

Gave a String of Beads and Wampum

He desired to have Traders sent him from  
 Virginia, when he was desired to explain whether  
 he did not address the four Governors, he replied  
 that one or more Traders might come from each,  
 therefore he addressed the four Governors, and  
 as King George had ordered him goods he hoped  
 the Governors would send them accordingly.

He has now done and will be glad to be  
 on his journey home as soon as their Excellencies  
 please to dispatch him.

Salui the Young Warrior (Beamer his  
 Interpreter) said he had heard the Talk from  
 the great King George, that the People of his  
 Nation had been often at Charles Town to hear  
 Talks, he never was, therefore he came to see  
 the Governors, he never is inclined to be at  
 Meetings, but is well pleased with what he  
 has heard, and hopes the Governors are also.  
 As the Warriors are now done he will speak  
 and

and begs to be heard, he says sometime ago 'twas cloudy, all was darkness but is now clear, and he hopes all will be forgiven, and then nothing Offensive shall be more repeated. The Great King George in Pity hath taken them in to favour, and as the Day is bright and clear, he hopes 'twill ever be so on the Path.

The Warriors who have been in England had a right to speak first, but now he informs that his heart is as firm to the English as ever in his Life, he sees all around his Friends, both Red and White People, that the White People of Georgia were the first that gave them Goods after the War, he now hopes to have a supply from Charles Town, there are Goods at Knoxville plenty, but people who live 8 or 10 Miles distant and want Trifles, find it hard to send or go to Knoxville for them. The Lines run out between the English and them he is satisfied with, tho' they are small for his People.

The White People settled at or near Long Cane he desires not to remove, but none more to settle nearer the Cherokees.

After reminding again concerning the  
Graders



Traders, he declared he had finished his Talk.  
And gave a String of Beads.

Augusta 9<sup>th</sup> Nov<sup>r</sup> 1763.

At a full Congress of the Governors, Superintendent,  
Indians &c<sup>r</sup> the Replys were delivered as follows.

Answer of the Several Governors and the  
Superintendent to Pia Matta the Chickisaw  
Leaders Talk. (Colbert Interpreter)

Friend, Brother & Ally

We the several Governors and  
Superintendent are extremely pleased with the  
Talk you delivered the day before yesterday, as  
our Eldest Brother you began replying and gave  
an Example to the other Indians, your Talk  
was as straight and as grateful as your con-  
duct has been for these many years, we ac-  
knowledge your Fidelity, we have had repeated  
Proofs of it, and we hope that by this Meeting  
the Chain of Friendship, which has long united  
us, will receive additional strength and bright-  
ness. The Words you have uttered are those  
of a wise and generous Man, and such as Expe-  
rience has taught you; you observe, that you  
cannot

cannot do without the White People, this is most certainly true, but it is as certain, that by preserving your Heart entirely English, by making their Enemies, your Enemies, and their Friends, your Friends you have felt no wants whatever, the great King has liberally supplied you, he has convinced you that let his Children be ever so remote, let Seas or Mountains separate them, that as long as they behave faithfully as you have done, they never will be cast off.

You say that the number of Traders which pass through your Country to the Chaactaw, and the too great Number which trade with your People breed Disturbances, which you may not always be at hand to prevent. You now shall have a Reply to both those Remarks. By the Cession of Mobile to the English, the Chaactaw Traders will be carried on from thence, because it will be more convenient to both English and Indians, so that from this time you will have no complaints of that kind to make. Your other request that High Rider and Brown only should traffick among you, has been considered by us as your Friends,  
and



and we are persuaded that some White Man for his own Interest has imposed upon you. You may believe us as the Great King's beloved Men, that when the Trade is in few Hands, the Price of Goods is always higher, but if you give a preference to the Traders you have mentioned you are under no Obligation to buy Goods of others, if High Rider and Brown are your Friends deal with them only, but they are more likely to continue to use you well, when you have other Traders to resort to, in case they abuse you. This Advice comes from us all and we give it because we esteem and value you. We have nothing further to add, but that you may safely rely on the Continuance of that Friendship and assistance which the Great King has always given you.

To the above they seemed satisfied.

Previous to the Answer to the Creeks, Forrest (the Interpreter) being desired to ask Capt. Black on behalf of himself and Brothers if he understood the Line as settled yesterday, He answered in the Affirmative, then the Reply was proceeded on.

right

Friends &amp; Brothers

In reply to the Answer of You — the Creek Indians to the Great King's Talk, the Governor and Superintendant say, that your repeated assurances, that your hearts, and the hearts of your whole People (for whom you speak) are true and good towards the Great King George and the Subjects they receive cordially. And that such Friendly Declarations as these duly observed on your Parts, you may depend shall be properly regarded by us, who will continue to exercise the King's great Benevolence and goodness towards you agreeable to His Talk given you at our first Meeting.

The Complaint made of straggling People going about the Woods between Augusta and the Creek Country, and carrying Rum and other Things to trade with such Indians as they may meet with when Hunting, is a mischief that we are sensible of, and what we are very desirous of putting a Stop to, and you may be assured that everything which can be done shall, in order to prevent such Practices.

You



You have also mentioned that if any Negroes run  
 away or Horses or Cattle stray into your grounds,  
 that you will seize upon them and keep them,  
 but with respect to these Two Points you must  
 recollect and well remember the Treaties and  
 Agreements you have formerly entered into  
 with the White People, and that you are not  
 to do any Mischief or Damage to them, or take  
 away their Property, or take any satisfaction  
 yourselves against the White People. But if you  
 think you receive any Injury, you are to make  
 your Complaint to the Governor of the Province  
 who will always be ready to hear you, and do  
 you justice, and this is the Method you must  
 observe, and not attempt to do any Mischief to  
 the White People or take away the Goods and  
 Horses of such as you may find trading in  
 the Woods for that would be contrary to your  
 former Engagements which are still binding  
 and must be observed and kept, but you must  
 complain against them to the Governor. And  
 you well remember that by a former Treaty  
 you are allowed a Reward for taking up any  
 Negroes that run away from their Masters and  
 you

you will still be rewarded for taking up any such. You know it is very difficult to prevent Negroes running away, and Cattle and Horses from rambling, and it would be unjust in you to claim them as your own for straying into your lands, at the same time you may be assured that the utmost care will be taken to prevent it.

And here we think it necessary to observe that great complaints have been made by the Traders, ~~and~~ that some of you have stolen their Horses, and refuse to believe them when found in your Possession. Also by several of the Inhabitants that you wantonly kill their Cattle, and that even since the holding of the Congress, several Cattle in this Neighbourhood have been wantonly shot, and the Carcasses left on the spot. If these things be true, it is not agreeable to the Friendly Declarations made by you. And we expect that nothing more of this sort be done for the future.

We have examined the Commission delivered by Thougulski (the young Twin) and have heard, and believe, that his Father was a great  
 thing



King and Warriors in the Creek Country, and we hope, Shougulkie may be so too, but we shall not interfere with you in the choice or appointment of your Emperors or Kings, but whenever you shall agree amongst yourselves upon the Election or Choice of an Emperor, we shall be ready to confirm such choice.

Capt. Ellick has mentioned a claim to his Settlements at Santa Cecilia which he says has been run out, as to which the Governors observe that they know of no Survey being made on any Settlement of his, that if any such thing has been done, it is without their Privy, and if the Lands are really his, Nothing that has been done can affect his Property but he will continue to enjoy them.

You have proposed enlarging and extending the Boundaries or Limits of the Lands to the Westward which may be settled by the White People, and this you declare to be in Gratitude and Return for the great Clemency and Generosity shewn to you by His Majesty and which in His Name we agree to accept of, so that for the future the Settlements of the White People  
are

are to extend up Savannah River to Little River and back to the Fork of Little River, and from the Fork of Little River to the end of the South Branch of Boyer Creek and down that Branch to the Lower Creek path, and along Lower Creek path to the main stream of Ogeechee River, and down the Main Stream of that River just below the Path leading from Mount Pleasant, and from thence in a straight Line cross to Santa Yecilla on the Altamaha River, and from thence to the Southward as far as Georgia extends, or may be extended to remain to be regulated agreeable to former Treaties, and His Majesty's Royal Instruction, a Copy of which was lately sent to you. And this Matter may be more particularly mentioned and described in the Treaty which we shall propose now to be made between Us.

N. B. Upon an Explanation of the Boundary Line in the Talk to them, they were again asked if they clearly understood it. To which they all (and the Wolf King in particular) answered in the Affirmative.

And as to what you have mentioned about the Lands to the Southward of Georgia near  
St. Augustine



St Augustine, Pensacola and Mobile These are  
Matters that the Great King has not empowered  
us to talk with you about. He has appointed  
Governors for these Countries, who will soon  
come over and be there. And we shall acquaint  
them with what you have said, and must  
leave you to talk with them and settle that  
Matter for we cannot do any thing in it.

Reply to Red Shoes the Chaetan Leader  
Colbert Interpreter.

Friend & Brother,

Your Talk was but short, but  
we are well satisfied with it, we are sorry for  
any Accident which prevented more of your  
People from complying with the Great King's  
Invitation, As they are not come, you must be  
more careful to remember what you have  
heard and relate it to your Nation, You de-  
sire to be under the English as the other  
Red People are, Do you behave as well as the  
faithfull Chickasaws, your Friends, and you will  
meet with the same Treatment from the English,  
Probably long before you get home, plenty of  
English

English Goods will be in your Nation; in your Transactions with the White People, take the Chickasaw for your Pattern, they have reaped the Advantage of our Friendship, and we sincerely hope that your whole Nation will embrace the Offers of good Will which we have made you, and that one Heart only may be in the Bosom of the White People and the Chactaws. With This Talk Red Shoes was well pleased.

To the Cherokee. (Watts Interpreter)  
Cherokee Friends & Brothers,

The Governor & Superintendent observe with Pleasure the good Disposition with which you are come to this Meeting, apparent in your Talks and in your Countenances, & the just sense you shew of the Great King's kind and fatherly Intentions to you and all his Red People and Children.

In your Answers to the Talk delivered from him, you mention Two Points, to each of which you will now receive particular Answers.

The first relates to the Trade carried on between



between the White People and your Towns, the other to the Lands on which the White People are settled.

As to the Trade you have Goods sent among you by almost all the Colonies over which we preside, but the Prices you are inclined to give for Goods are so small, that few Traders chose to carry Goods into your Towns, you must consider, that if Traders do not make an Advantage of their Goods, they will not carry them, you would do the same yourselves.

The Trade of South Carolina stands on another Footing, at the same time the Path in to your Towns was but lately cleared from Blood, to preserve it clean to prevent the same Mischiefs from being repeated, which had been occasioned by the Madness of your Young Men, and the Misbehaviour of Our Traders, a Factory was settled at Neowee, and a Trader whom we can depend upon for seeing you well established there, plenty of Goods are constantly kept for your Supply, and the Price as low or lower than any Private Trader can afford them. This Regulation the Province of South Carolina cannot alter because

because it has been laid before the King; it is in His power, and in his alone, to make an Alteration, and until this is done, South Carolina has not the Power of sending Private Traders.

In North Carolina there are no Indian Traders at all, either to your Nation or to any other. And as to Virginia, the Traders there are free to carry up their Goods, or not, as they find their Advantage, there are no Laws to compel them to go, or to restrain them from going. Every Man carries up his Goods as he thinks proper, and sets such Prices upon them as he judges will answer his Expence in carrying them up into your Towns. You are also free to purchase them or not as you approve of the Prices set upon them. And all we have to add on this Subject is, that the Government of Virginia sets no Prices on the Goods sent up to you, but leaves you and the Traders to agree upon the Price in such Manner as is suitable to you both.

We shall now come to the other Point relative to Lands. You have complained of Settlements being made on the part of Virginia to the Westward of the New River and desire no further Settlements to



Settlements may be made there. In order to comply strictly with the Great King's Instructions, Copies of which you have among you, and that we may in no shape deceive you, we will explain the state of those Settlements.

By a former Governor and above twenty years since a large Grant of Lands in that Part of the Country was made to one Col<sup>d</sup> Patton, who under that Grant sold out Parcels of Land to people who settled there. In those Settlements you have acquiesced without Complaint to this Time, as they are at a great Distance from your Country. Another large Grant was also made by the Great King just before the breaking out of the War with the French, but those Disturbances prevented many Persons settling under that Grant, and by the King's late Instructions to the Governor of Virginia no Land can be granted even as far as the Eastern banks of that River. And in obedience to that Instruction not a Plot has been since granted upon that River, so that you have nothing further to apprehend on that Account. And we now take this Opportunity to confirm you in your security.

security by assuring you that on the Return of the Governor of Virginia into his Colony, all Treaties will be carefully examined, and punctually observed, and you may depend on strict justice being done to you.

It is possible some Idle Persons may set down on Lands without any Authority whatever, but this you ought not to consider as an Act of the Government, which does not, nor ever will, countenance and protect People settling in that Manner, but heartily concur with you in removing them on Complaint made by you to the Governor for that purpose.

In relation to the Settlements above Long Canes in South Carolina, those Settlements were allowed and agreed to in the Treaty of Peace, signed at the Close of the last War by Lieutenant Governor Bull and Attakullakulla between the White People and your Nation.

And then the Interpreters were ordered to inform the several Nations of Indians that the Great King had sent them Presents as a mark of his esteem for them, and that the four Governors  
and



and Superintendent should agree in the Distribution,  
and the Superintendent would then deliver them.

To Col: Ayres & Brothers of the Catawba

It gives us great pleasure and satisfaction  
to find that the good Talk which we gave you  
from our Great King and Father of both his  
White and Red Children, is so satisfactory to you,  
as you have always been fast Friends to all  
his White Children so our King and Father holds  
out his arms to receive and protect you from  
all your Enemies, and is very sensible of your  
constant love and Friendship for all your  
White Brothers, and you may be assured of  
his confirming to you all your just claims to  
your Lands and Hunting grounds, pursuant  
to the agreement made between your Nation, &  
his Governor of South Carolina, and Mr: Atkins  
his Superintendent of Indian Affairs, upon  
your having a Fort built for your protection  
from your Enemies, when you deserted your  
old Towns, which was then agreed upon, on both  
sides, to be a square of fifteen miles, to be laid  
out on both sides of the Catawba River, and  
part

part of the Line was actually surveyed.

If you stand to your former Agreement your Lands shall be immediately surveyed and marked out for your use, but if you do not, your Claim must be undecided till Our Great King's Pleasure is known on the other side the Water.

The Talks being given to the Indians the Cherokees acknowledge of their own accord that they had claimed more than were their Hunting Grounds and what they now desired was, that they might not be molested in hunting as far as the Spring Head of Holston River.

They desired the Governors to write to Mr. Wilkinson at New Orleans to send Goods from thence to Satitoe, to which it was replied that the Governors had it not in their power, the Great King had ordered it otherwise.

The Cataubas, upon appearing satisfied with the Line of 15 Miles square, were informed that a new Survey should be made, and when the Line was run the People settled within should be removed and no new Warrants granted them or any others to settle within those Limits.

Upon



Upon which they desired a new Line should be run out immediately

The Catawbas being asked if they approved Col. Ayres as their Chief or Emperor? answered unanimously yes. In consequence of such their Declaration the Governor and Superintendent accepted him.

Then the Question was put to the respective Chiefs of the several Tribes of Indians whether in consequence of their good professions towards the English they were inclined to enter into a Treaty of Peace &c? in Writing for that Purpose, and they all consenting thereto were informed that on the Morrow being the 10<sup>th</sup> Nov<sup>r</sup> they were to assemble at the same place at 11 o'clock when such a Treaty should be ready to be signed by the Governors, Superintendent and them.

The Prince of Chiti made Overtures of Peace and Friendship to Pia Matta the Chief Chickasaw which being accepted, the Prince of Chiti gave him a string of White Beads.

The young Warrior and Tiftai (Cherokee) had friendly Talks with Mustiqua and Steel Harry

Harry (two bucks) and gave Beads to each of them.

At a Congress held at Augusta in the Province of Georgia on the 10<sup>th</sup> Day of Nov<sup>r</sup> in the year of Our Lord God 1763 by their Excellencies.

James Wright	} Esq <sup>s</sup> Governors	{ Georgia	
Arthur Dobbs			{ N <sup>o</sup> Carolina
Tho <sup>s</sup> Boone			{ S <sup>o</sup> Carolina

The Hon<sup>ble</sup> Francis Fauquier Esq<sup>r</sup> Lieut Governor of Virginia and John Stuart Esq<sup>r</sup> Agent and Superintendent of Southern Indian Affairs.

A Treaty for the Preservation and Continuance of a firm and Perfect Peace & Friendship between his most Sacred Majesty George the Third by the grace of God of Great Britain, France and Ireland, King, Defender of the Faith and so forth And the several Indian Chiefs herein named who are authorized by the King's Head Men and Warriors of the Chickasaws, Upper and Lower Creeks, Chactaws, Cherokees and Catawbas for and in behalf of themselves and their several Nations and Tribes.

Article 1<sup>st</sup>

That a perfect and perpetual Peace and sincere  
Friendship



Friendship shall be continued between His Majesty  
 King George the Third and all His Subjects and  
 the several Nations and Tribes of Indians herein  
 mentioned, that is to say, the Chickasaws, Upper  
 and Lower Creeks, Chactaws, Cherokees, and Catau-  
 bas and each Nation of Indians hereby respec-  
 tively engaged to give the utmost attention  
 to preserve and maintain Peace and Friendship  
 between their People and the King of Great  
 Britain and His Subjects, and shall not commit  
 or permit any kind of Hostilities, injury or  
 Damage whatever against them from hence-  
 forth and from any cause, or under any pre-  
 tence whatsoever. And for laying the strong-  
 est and purest foundation for a perfect and  
 perpetual Peace and Friendship, His Most Sacred  
 Majesty has been graciously pleased to pardon  
 and forgive all past offences and injuries and  
 hereby declares there shall be a general Oblivion  
 of all Crimes, Offences and Injuries that may  
 have been heretofore committed or done by any  
 of the said Indian Parties.

Article 2.

The Subjects of the Great King George and the  
 aforesaid

aforsaid several Nations of Indians, shall for ever hereafter be looked upon as one People and the several Governors and Superintendant engage that they will encourage Persons to furnish & supply the several Nations and Tribes of Indians aforsaid with all sorts of goods usually carried amongst them in the manner in which they now are and which will be sufficient to answer all their wants.

In consideration whereof the Indian Parties on their Part severally engage in the most solemn Manner that the Traders and others who may go amongst them, shall be perfectly safe and secure in their several Persons and Effects and shall not on any Account or pretence whatsoever, be molested or disturbed, whilst in any of the Indian Towns or Nations, or on their Journey to or from the Nations.

### Article 3.<sup>d</sup>

The English Governors and Superintendant engage for themselves and their Successors, as far as they can, that they will always give due attention to the Interest of the Indians and will be ready on all occasions to do them full and ample



ample justice. And the several Indian Parties do expressly promise and engage for themselves severally and for their several Nations and Tribes pursuant to the full right and Power which they have so to do, that they will in all cases and upon all Occasions, do full the same and ample justice to the English and will use their utmost Endeavours to prevent any of their People from giving any Disturbance or doing any Damage to them in the Settlements or elsewhere as aforesaid, either by stealing their Horses, killing their Cattle, or otherwise, or by doing them any Personal hurt or injury. And that if any Damage be done as aforesaid, satisfaction shall be made for the same to the Party injured, And that if any Indian or Indians whatever shall hereafter murder or kill a White Man, the Offender or Offenders shall without any Delay, excuse or Pretence whatever be immediately put to death, in a Public Manner in the Presence of at least two of the English who may be in the Neighbourhood where the Offence is committed.

And if any White Man shall kill or murder  
an

an Indian, such White Man shall be tried for the Offence in the same manner as if he had murdered a White Man, and if found guilty shall be executed accordingly in the presence of some of the Relations of the Indians who may be murdered, if they choose to be present.

Article 4.<sup>th</sup>

Whereas Doubts and Disputes have frequently happened on account of Encroachments or supposed Encroachments committed by the English Inhabitants of Georgia on the Lands or Hunting Grounds reserved and claimed by the Creek Indians for their own use. Wherefore to prevent any Mistakes, Doubts or Disputes for the future and in Consideration of the great Marks of Clemency and Friendship extended to us the said Creek Indians. We the King's Head Men and Warriors of the several Nations and Towns of both Upper and Lower Creeks by virtue and in pursuance of the full right and power which we now have and are possessed of, Have consented and agreed that for the future the Boundary between the English Settlements and our Lands and Hunting Grounds shall be known  
and



and settled by a Line extending up Savannah River to little River and back to the Fork of little River, and from the Fork of little River to the Ends of the South Branch of Briar Creek, and down that Branch to the Lower Creek Path, and along the lower Creek Path to the Main Stream of Ogeechee River, and down the Main Stream of that river just below the Path leading from Mount Pleasant and from thence in a straight Line cross to Santo Spirilla on the Matamoras River and from thence to the Southward as far as Georgia extends or may be extended to remain to be regulated agreeable to former Treaties and His Majesty's Royal Instruction a Copy of which was lately sent to you.

And We the Catawba Head Men and Warriors in confirmation of an Agreement heretofore enter'd into with the White People declare that we will remain satisfied with the Tract of Land of Fifteen Miles Square, a Survey of which by our consent, and at our request has been already begun, and the respective Governors and Superintendant on their Part <sup>promise</sup>

promise and engage that the aforesaid Survey shall be completed and that the Catawbas shall not in any respect be molested by any of the King's Subjects, within the said Lines, but shall be indulged in the usual manner of Hunting elsewhere.

And We do by these Presents give, grant and confirm unto His most sacred Majesty King George the Third, all such Lands whatsoever as we the said Creek Indians have at any time heretofore been possessed of or claimed as Our Hunting Grounds which lie between the Sea, the River Savannah and the Lines herein before mentioned and described to hold the same unto the Great King George and his Successors for ever. And We do fully and absolutely agree that from henceforth the above Lines and Boundary shall be the mark of Division of Lands between the English and the Creek Indians, notwithstanding any former Agreement or Boundary to the contrary. And that We will not disturb the English in their Settlements or otherwise within the Lines aforesaid.

In



In Consideration whereof it is agreed on the part  
of His Majesty King George that none of His  
Subjects shall settle upon or disturb the Indians  
in the grounds or lands to the Westward of the  
Lines herein before described, and that if any  
shall presume to do so, then on Complaint made  
by the Indians, the Party shall be proceeded a-  
gainst for the same and punished according to  
the Laws of the English.

In Testimony whereof We the Under-  
written have signed this present Treaty and  
put to it the Seals of Our Arms the Day and  
Year above written. And the several Kings and  
Chiefs of the several Nations and Tribes of Indians  
have also set their hands and Seals to the same  
at the Time and Place aforesaid.

Ja: Wright Governor of Georgia	(L S)
Arthur Dobbs Governor of N <sup>c</sup> Carolina	(L S)
Tho: Boone Governor of S <sup>c</sup> Carolina	(L S)
Wm. Stoughton Secy of Virginia	(L S)
John Stuart Super: of South District	(L S)
Pia Matta his O Mark	(L S) (L S) mark & D (L S)
Capt Ellick his A Mark	(L S) Tuckeykuny's L mark (L S)
Lampiaffi his O mark	(L S) Sarruio's mark (L S)
Hoothepea Katche	

Hostlipokatche his mark (L S) Becmis's mark (L S)  
 Nealuquescapque's mark (L S) Tiftor's mark E (L S)  
 Chihia Muro's mark S (L S) The Wolfe's mark G (L S)  
 Shurawhumastobys's mark H (L S) Willanarica's mark (L S)  
 Attakullakulla's mark E (L S) Ameytoy's mark Z (L S)  
 Killagunsta Chet's mark & (L S) Chisco Valenc's mark Y (L S)  
 Skagunsta Justencha's mark D D (L S) Clekwetuso's mark S (L S)

By Command of their

Excellencies { James Wright }  
 { Arthur Dobbs } Esquires  
 { Thomas Boone }

The Honble Francis Manguier &  
 John Stuart Esq. Superintendant  
 Samricke Bull Secy

The Ratification of Peace and Friendship being  
 signed, finished the General Congress, at which  
 time the guns of Fort Augusta were discharged,  
 as they were at the opening of the Congress.

The Indians were informed that the  
 Presents would begin to be distributed to them  
 the following day by their Beloved Man, the  
 Superintendant, to which they appearing satisfied,  
 Their Excellencies and the Superintendant withdrew  
 into



116

into the said Fort of Augusta, and ordered the  
following Letter to be engrossed and sent to the  
Secretary of State viz<sup>t</sup>

Augusta in Georgia  
10<sup>th</sup> Nov<sup>r</sup> 1763

My Lord,

In obedience to the King's Com-  
mands signified to us severally by your Lordship  
by Letter of the 16<sup>th</sup> March, we have met the  
different Chiefs of the Chickasaws, Chahtaons, Creeks,  
Cherokees and Catauchas and have used our ut-  
most Endeavour to carry His Majesty's Intentions  
into Execution.

The Removal of the French & Spaniards  
from the ceded Places which your Lordship meant  
the Indians should be apprized of by us, they  
were before acquainted with, this was unavoid-  
able, the Dispatching of Invitations to Nations  
so remote as the Chahtaons and Chickasaws, ne-  
cessarily took up a great deal of time, their  
Consultations upon them not much less, and  
their Journey hither still more, however, my  
Lord, we do not apprehend that their receiving  
the above Intelligence from other hands has  
been

been detrimental to the King's service, the Chickasaws ever faithful to the British Interest are perfectly satisfied with the Change, the Choctaw Leader now in Confederacy with the Chickasaws, had before made repeated Offers of declaring against the French, provided he was supplied with English Goods, and seems well pleased with the Neighbourhood of the English whose Assistance he had before courted. We have in our Reply to him, given him reason to expect that by the time he reaches home there will be Traders in his Nation by the way of Mobile, and we beg leave to recommend to your Lordship that the Choctaws being supplied with Goods from that Quarter, as a measure necessary to confirm them in their present professions, and to render them independant of the Creeks against whom they may be a very useful check when their supplies are no longer so precarious as they now are, by passing through the Creek Country.

The Creeks had been represented to be very ill disposed; the murders they had committed were frequent, and even subsequent to the Receipt of your Lordship's letter, since the  
holding



holding of the Congress, tho' amply supplied with  
 Provisions, they have been accused of wantonly  
 killing the Peoples cattle, yet their Talks have been  
 more friendly than we expected, and their voluntary  
 offer of an Augmentation of Boundary to Georgia  
 upon the Kings forgiveness of all past Injuries  
 being signified to them, supposing their Pro-  
 fessions sincere and the Chiefs of consequence  
 enough to act for the whole Nation, which they  
 declare they do, is certainly as strong a Proof  
 as they can at present give of their Good Will.  
 It will be necessary however to mention to your  
 Lordship that we have been privately cautioned  
 by the Leader of the Chickasaws against confiding  
 in the Creek Professions; he says he knows them  
 that nothing done here will be confirmed by the  
 absent Leaders in comparison of whom the Present  
 Chiefs are inconsiderable. The Cherokees in their  
 Intelligence have gone still farther, but as  
 they seem on the Point of a War with the Creeks,  
 their Testimony is to be suspected. Though the  
 Talks will convey to your Lordship our Opin-  
 ions of the different Dispositions of the Indians,  
 yet the thought necessary to add thus much,  
 and

and to acquaint your Lordship, that the Cherokees seem very Pacific, but mortified at the refusal of Traders from South Carolina, which the Act now in force there prevents their being gratified with, And we beg leave to observe to your Lordship on this Head, and that the general Promise of Goods which we have made by the King's Orders to the respective Indians requires such a performance as it is impossible, circumstances as we are, to be answerable for, for we have no coercive power over Traders.

Your Lordship will pardon us for suggesting that there never was a time more seasonable for the establishing the Commerce with Indians upon a general, safe, equitable footing & which we are afraid will never be done by respective Provinces.

The Catawbas Boundary as before agreed upon, is now confirmed, and they are well satisfied with it.

Permit us to refer your Lordship for all further particulars of the Congress to the Original Papers which we shall have the honour of transmitting with the utmost Dispatch,  
and



and to hope that We have faithfully executed the  
King's Commands and approved ourselves

My Lord, Your Lordships,  
Most obedient and

Most humble Servants

To  
The Earl of Egremont  
His Majesty's Principal  
Secretary of State for the  
Southern Department.

Ja. Wright  
Arthur Dobbs  
Tho: Boone  
Fran. Canguier  
John Stuart

cc<sup>a</sup> cc<sup>a</sup>

Then the Secretary being ordered to withdraw,  
their Excellencies &c<sup>a</sup> were pleased to agree that  
he should out of the Fund in his hands pay  
Mr. Box the sum of ten pounds ten shillings  
sterling for assisting Henricke Bull their said  
Secretary at the Congress and that the said  
Henricke Bull should from the same Fund  
pay himself Fifty two Pounds Ten shillings  
sterling, as a gratuity for the executing his  
Office; At the same time, ordering him to write  
a fair Copy, with Marginal Notes &c<sup>a</sup> with all  
possible Dispatch, after his arrival in Charles  
Town, to be forwarded to the Earl of Egremont,  
His

His Majesty's Principal Secretary of State for the  
 South District &c &c &c, and also that he procure  
 50 Copies of the same, to be printed from the said  
 Fair Journal, for the use of the Secretary of State,  
 Sir Jeffery Amherst, (the four Governors, Superin-  
 tendant &c who attended at the Congress) and  
 that they be also sent to the Northern American  
 Governors, and to those of the new ceded Places,  
 that they may be informed of the Proceedings  
 at the said Congress.

Charles Town, South Carolina  
 Nov<sup>r</sup> 21<sup>st</sup> 1763.

Sir,

Since we had the pleasure of seeing  
 you, Gov<sup>r</sup> Boone has received a letter from  
 Mr Samuel Smith of London, Merchant, acquaint-  
 ing him that he had a Balance in his hands  
 from the Money issued by the Treasury amount-  
 ing to £ 354. 2. 11. over and above the costs and  
 Charges of the Presents, which he was ready to  
 pay to Governor Boone's order, towards the  
 Expence of distributing the Presents & contingencies  
 of the Congress. We have therefore agreed to draw  
 for



for the whole, to add £47:10:0 Sterling more to  
 the gratification of so many, already agreed to  
 be given to Mr Bull, in consequence of our thinking  
 that he will have much more trouble, than  
 we at first imagined, and that it will be ne-  
 cessary he should take a good deal of pains with  
 the Papers to be transmitted to the Secretary of  
 State. The Remainder will be deposited in the  
 hands of the Superintendent to be applied to-  
 ward the incidental Expenses of the Congress.  
 We should have been glad to have had your  
 concurrence, but as this fresh step appears per-  
 fectly reasonable to us, we have no doubt,  
 but it will be equally agreeable to you, and  
 are &c?

Thos. Boone  
 Arthur Dobbs  
 Fran. Fauquier.

His Ex<sup>ty</sup>  
 James Wright Esq.

Charleston, S<sup>c</sup> Carolina, 21<sup>st</sup> Dec<sup>r</sup> 1763

Sir,

In consequence of your Letter of Advice  
 dated

Dated the 10<sup>th</sup> August to his Excellency Governor  
Boone, We have this Day drawn Three Bills  
of Exchange on you for the Ballance viz<sup>t</sup>  
1 at 30 days in favour of the Hon<sup>ble</sup>

Francis Fauquier Esq<sup>r</sup> for 50

1 at 9 <sup>c</sup> in favour of	} William Sted for	{ 100: 0: 0. 104: 2: 11.
1 at 9 <sup>c</sup> in favour of		
St		<u>£ 254: 2: 11.</u>

Amounting to Two Hundred Fifty Four Pounds  
Two Shillings and Eleven Pence Sterling, which  
please to honour. We are &c<sup>a</sup>

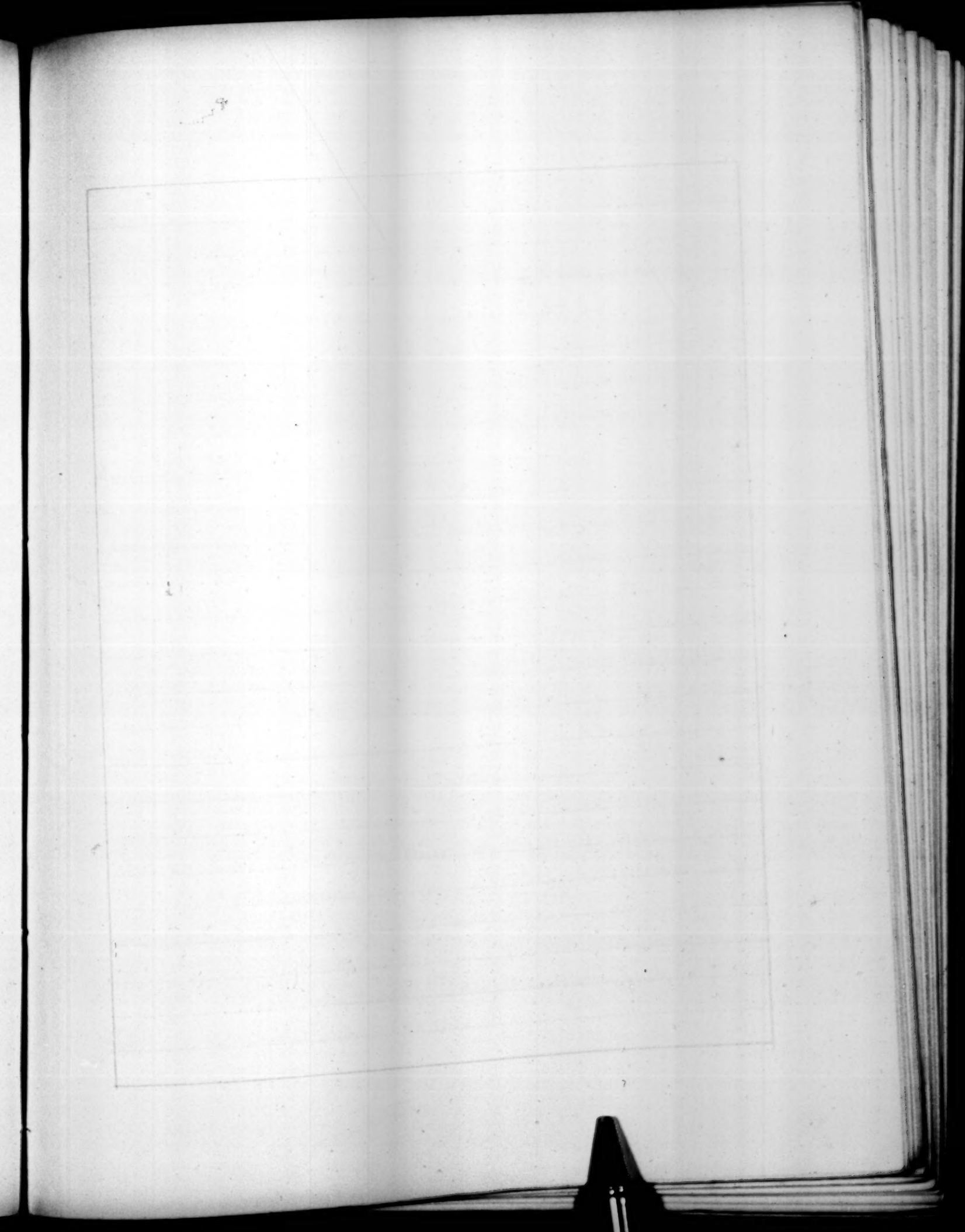
Mr Samuel Smith  
Cateaton Street  
London

Thos Boone  
Arthur Dobbs  
Francis Fauquier

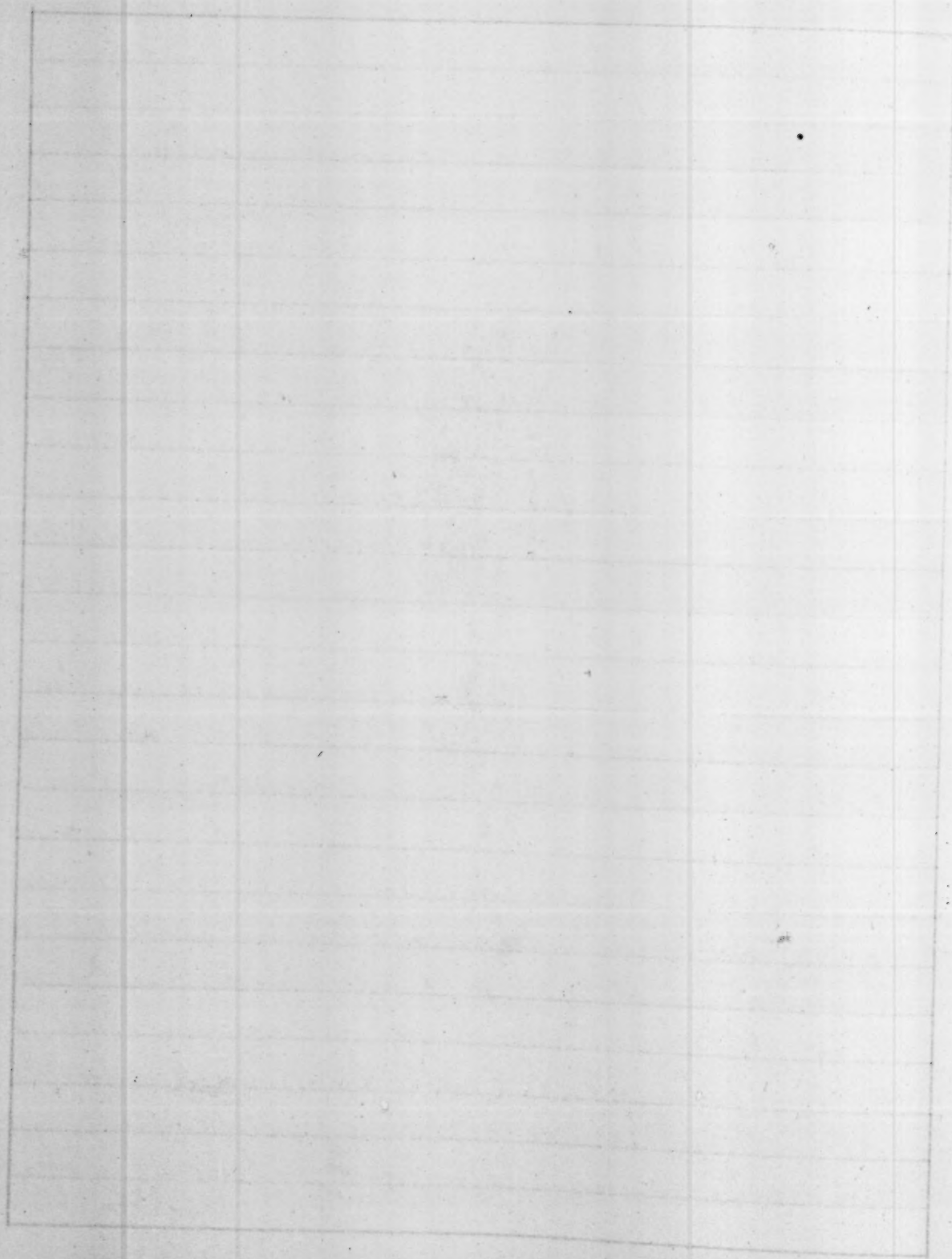
Fair Copy of the Journal of the Congress at  
Augusta, transcribed by  
Sawicke Bull Sec<sup>ry</sup>

M. 92

Received January 26<sup>th</sup> 1764







B. P. H. O. So. Carolina. B. J. Feb 20. M. 88.

To the Right Honble the Lords Commissioners  
for Trade and Plantations

The Memorial of Rich<sup>d</sup> Cumberland Procest  
Marshall of South Carolina.

Humbly Sheweth,

That your Memorialist  
from the want of a proper and commodious  
goal in the aforesaid Province, labours under  
great difficulties and insecurity in the execution  
of his Office. That the Inconveniencies there-  
upon ensuing do not affect himself only, but  
the Public also. That, notwithstanding the  
apparent necessity that there is for erecting  
at the public expence, such a House of confine-  
ment, as shall be fit to receive and secure the  
Debtors and Felons in the aforesaid Province,  
no notice whatever has been hitherto taken  
of the remonstrances of the officiating Procest  
Marshall, tho' the rich and flourishing state of  
the Government of South Carolina leaves it  
self without excuse for the neglect. That your  
Memorialist being necessitated to hire at a very  
considerable

considerable expence such a private Habitation as the Town of Charles Town affords for the reception of Prisoners, he understands from the representation of his Deputy, that he is thereby frequently reduced to the disagreeable necessity of confining them in such a manner as Humanity would otherwise forbid, and within such a Compass as in the Climate of South Carolina cannot but be productive of the worst consequences; That in addition to these inconveniences notwithstanding his utmost vigilance he finds it impossible to prevent frequent escapes by which not only heavy and repeated losses ensue to himself, but fresh dangers and disturbances befall the Public, when Malefactors find means to elude the Punishment they deserve.

That your Memorialist having thus with all due submission represented to your Lordships the expediency of erecting a Public Goal in the Province of South Carolina at the expence of the said Government, humbly recommends it to your Lordships consideration, not doubting but that you will give such Instructions

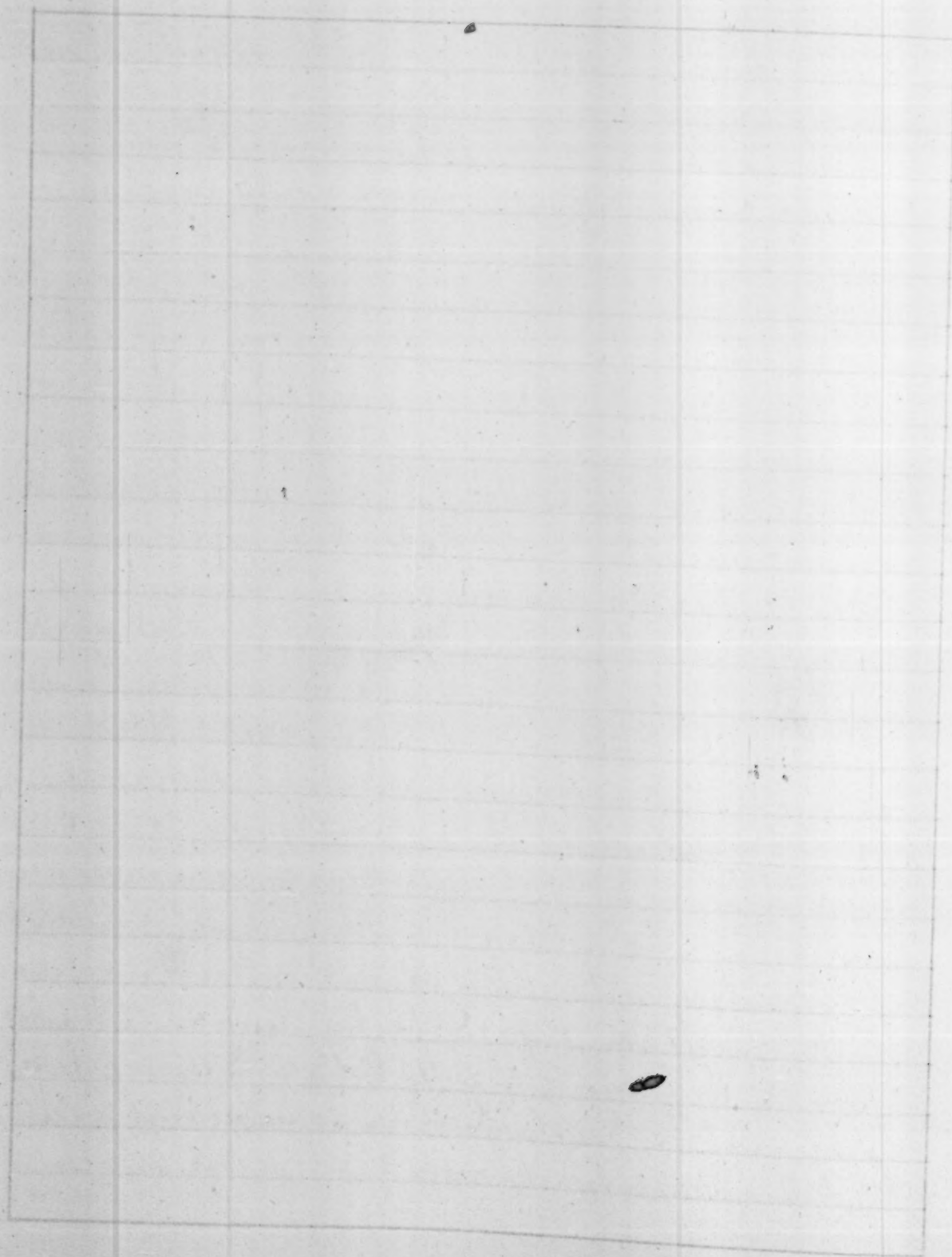


Instructions in the case, as to your Wisdom  
it shall seem to merit.

All which is humbly submitted.

Ye. &c.

111. 88.  
Received Feb. 24 }  
Recd March 14. } 1764.



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B P N O. America & West Indies. Vol. 223.

St James's Feb<sup>y</sup> 11<sup>th</sup> 1764

Thomas Boone Esq Governor of South Carolina

Sir,

Your letters of the 23<sup>rd</sup> & 24<sup>th</sup> of Novem<sup>r</sup>,  
and 7<sup>th</sup> of December, with the several Papers there  
with transmitted, have been received, and laid before  
the King. The first of these Letters concerning  
the means of preventing illicit Trade, immediately  
communicated to the First Lord Commissioner  
of His Majesty's Treasury. The two latter, being  
relative to the late Congress with the Indians, &  
the Management of the Trade with them, I have  
transmitted together with the joint letter of the  
several Governors who held that Conference,  
and the Journal of their Proceedings, to the Lords  
Commissioners of Trade and Plantations, who are  
now preparing a Plan for the general regulation  
of Commerce with the Indians in North America.

With regard to the request of the two  
Cherokee Indians, Attakullakulla and Occumstota,  
to be sent to England, I am to acquaint you,  
that His Majesty approves the Answer which  
you



you returned to it. Such visits are attended with much expense and trouble, without being productive of any advantage. You will therefore refuse to comply with their Desire, especially as you are persuaded you can prevail on them to acquiesce in such Refusal, without Disgust or Resentment.

I am &c<sup>a</sup>

Wm<sup>th</sup> Halifax

B. P. B. O. South Carolina B. J. Vol 29. page 217.

15<sup>th</sup> March 1764.

To Thomas Boone Esq Governor of South Carolina  
Sir,

I am directed by the Lords Commissioners  
for Trade and Plantations to send you the en-  
closed Copy of a Memorial presented to them by the  
Patentee of the Office of Prison Marshal in South  
Carolina setting forth the inconveniences which  
arise to the Public, the loss which he sustains, &  
the risque to which he is exposed for want of a  
proper Prison being provided at the public Expense  
Their Lordships find by the books of their Office,  
that the making provision for this Service has  
been frequently recommended in the Instructions  
to His Majesty's Governors of South Carolina, and  
as it is particularly pointed out in the 39<sup>th</sup> Article  
of those given to you Their Lordships desire you  
will take the first favourable opportunity of using  
your best endeavours to induce the Assembly to  
comply with a proposition so reasonable in itself  
and so essential to the Public security and the  
Decency of Government.

I am with great regard  
Sir, &c.  
J. Pownall.



B P R O South Carolina B I Vol 20 M 93

Charles Town, S<sup>c</sup> Carolina  
April 7<sup>th</sup> 1764

My Lords,

In consequence of my desiring the Majesty's Council to take under their consideration such measures as were necessary to be pursued in order to check the Insolence of the Creek Indians and to obtain satisfaction instead of frivolous excuses for the Death of fourteen Persons who had been murdered by them in this Province since the Congress held at Augusta; the stopping of the Trade with them was by experience looked upon to be a step most likely to answer the end proposed, as well as most easily carried into execution; and accordingly with the Advice of Council I requested Governor Wright's concurrence, and desired that he would join with me in requiring the Commanding Officers of the different Ports in the Two Floridas, to co-operate with us, as they had orders to do in Indian matters (in consequence of my application to Sir Jeffery Amhurst, immediately on thecession  
of

of those Provinces) But tho' I had been told by the  
 Superintendent that Governor Wright approv-  
 ed extremely of this measure, he has since ac-  
 quainted me that he thinks it premature, and  
 Mr Stuart who was of the first opinion but  
 has changed it also, has expressed to me his sur-  
 prize, that I would take a step of this sort  
 without consulting him in form and desiring  
 his concurrence which he supposes equally ne-  
 cessary with any Governor. A claim of this  
 nature was too extraordinary I thought, not  
 to be submitted to His Majesty's Council and at  
 their request, and after their inspection, the  
 following representation is most humbly sub-  
 mitted to your Lordships. The Superintendent  
 is appointed by His Majesty and by the words of  
 his Commission is to receive Instructions from  
 the Commander in Chief in America, As yet my  
 Lords (I have it from himself) he has never  
 receiv'd any Instructions at all; I have said  
 that regard to his Commission as never to  
 interfere in what he thought proper to do,  
 but had I admitted Mr Stuart into a partici-  
 pation of all Councils on Indian matters  
 without

without His Majesty's Command expressed to me by your Lordships or His Majesty's Principal Secretaries of State, I apprehend my Lords I should have been guilty of the highest presumption; I should of my own motion have lavished away that mark of distinction, which the King by His special mandamus is graciously pleased to confer. But it is not mere participation of Councils, which Mr. Stuart, by virtue of his Commission, lays claim to, but of Power also; He thinks his concurrence in every measure to be taken with the Indians absolutely necessary; This pretention, my Lords, is more than the King has thought proper to vest in the Council; for it is in fact claiming a negative not only upon what may appear expedient to the Governor and Council but to the Legislature also so far as regards Indian matters; and in fact this claim expressly militates against that Instruction of the King, which authorizes the Governor to declare even War against Indians with the consent of the Council.

The Duties constantly required of Indian Agents in this Province, were, that they should  
 resort



resort to the Indians and endeavour to insinuate themselves into their affections by some conformity to their manners; and by mixing with that familiarity which renders almost anybody dear to them, that they might hear on the spot their complaints, which seldom reach us now but by the representation of those concerned in injuring them; that they might carefully inspect and report the behaviour of the Traders; that they might endeavor in the very Nation itself to inform themselves, of their disposition and real designs; By a faithful discharge of these Duties by Provincial Agents occasionally appointed, impending ruptures have frequently been prevented.

If His Majesty expects the above service from the Superintendent (as we are at present really unacquainted with the nature of his Office) we humbly submit to your Lordships whether it might not be proper to make him subordinate to the Governor and Council of each Province, where his Duty may call him; or which may have occasion to negotiate any matters with the Indians in his District.

Wor

Nor my Lords would this subordination to the Governor and Council at all clash with the obedience prescribed by the King to the Commander in Chiefs orders, which at all times might have the preference to any directions from a Governor, so far from clashing it appears highly improbable that a General can have any directions to give touching Indians so very remote. If however my Lords it should be the King's Pleasure that the Superintendant shall enjoy the extensive Power he claims, and exercise it in the same manner he now does from Charles Town the management of Indians will only change hands.

But I beg leave my Lords to represent to your Lordships that the Indian Business has always been esteemed of great importance to this Province, and been attended to by the Governor and Council with the utmost caution and attention, and for many years previous to the Cherokee War, was most successfully transacted with little or no expense to the Crown.

M<sup>r</sup> Stuart is very new in his Office, and has at present a discretionary power, for he is subject  
to

to no Control, but the Commander in Chief from whom he has no general Instructions whatever, and in case he should apply for special ones on an emergency, it will be almost impossible from the Distance of Head Quarters that he should then receive them in time.

The Governor and Council would have thought themselves guilty of an omission that might have been fatal to the welfare of this Province had they concealed from your Lordships the foregoing observations, at the same time they beg leave to assure you of their most dutiful regard to His Majesty's Commands upon this Head whatever they may be and that nothing can give them more pleasure as nothing will most certainly conduce to the Prosperity of the Province than a proper regulation of Indian affairs by whomsoever effected I have the honour to enclose the minutes of Council upon the subject of this Letter and am with great respect

My Lords, your Lordships

Most obed<sup>t</sup> & most humble servant

The Boone

To the  
Right Hon<sup>ble</sup> Lords of Trade &  
Plantations.

P.S.



P.S. I beg leave to add by way of Postscript what  
 I did not think so proper to consider particularly  
 in Council that the subsisting Indians who  
 frequently come into this Province in great num-  
 bers is an article of considerable expense not less  
 than a shilling sterling per day for each Indian  
 and has hitherto been provided for by the country  
 and the disbursements made by a provincial Of-  
 ficer that the Presents given annually to the  
 Chickasaws and Chactaws only amount upon an  
 average to near a Thousand Pounds sterling  
 besides other Presents given frequently to the  
 Cherokees, Creeks and Cataubas, a burden which  
 the Province will be extremely glad to get rid  
 of and will infallibly throw upon the Crown, in  
 case Mr Stuart assumes the power he lays claim  
 to. I am with great respect

My Lords, your Lordships

Most obedient and

Humble servant

The Boone

M. 93

Received June

Read June 14<sup>th</sup>

1764

South Carolina  
Minutes of Council  
1764

Relative to the claims of Mr Stuart

In Governor Boone's Letter  
of the 7<sup>th</sup> April 1764

Read June 14<sup>th</sup> 1764  
M. 94.

South Carolina  
Extract of the Journals of the Commons House  
of Assembly of South Carolina in January and  
April 1764.

Read June 14<sup>th</sup> 1764.  
M. 96.

B. P. N. C. South Carolina B. V. Vol. 20. M. 95

Fort Augusta Jan<sup>y</sup> 13<sup>th</sup> 1764

Sir,

These Creeks are cursed fellows, But I have the satisfaction to inform you that everything was quiet in the Nation very lately, and a Trader who came in here last Night, received the first information of the late Murder, about thirty Miles from this by a Gang of fourteen Creeks who were on their way home, and who did not attempt to disturb him, we have heard nothing more than what you have been informed of already you may depend on my writing to you by every opportunity.

Extract of a letter from Lieut Dunnet.

Sir,

I had the pleasure of writing you about ten days ago, I have not heard anything from Long Canes since, Everything is quiet and peaceable in this part, Captain Brown with his Company passed by here yesterday for Long Canes he had I think about forty men.

Extract



Extract of a letter from Lieut. Mackintosh  
Dated Fort More 13<sup>th</sup> Jan<sup>y</sup> 1764

Read 14<sup>th</sup> June 1764  
M. 95.

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B P R. O. South Carolina. B. J. Vol 20. M. 106.

South Carolina April 19<sup>th</sup> 1764.

My Lords,

I had the honour to inform your Lordships by the King George Capt Edward, that having received no commands whatever from your Lordships relative to the dispute between the Assembly and me; I had resolved to make use of my leave of absence, which nothing but my zeal for the King's service, and the ill consequences which I thought would attend my departure, has so long prevented me from taking the benefit of, and I beg leave now to repeat my intentions of paying my duty in person to your Lordships before the expiration of May.

I have the honour to be with the utmost respect

My Lords, your Lordships

Most obedient and

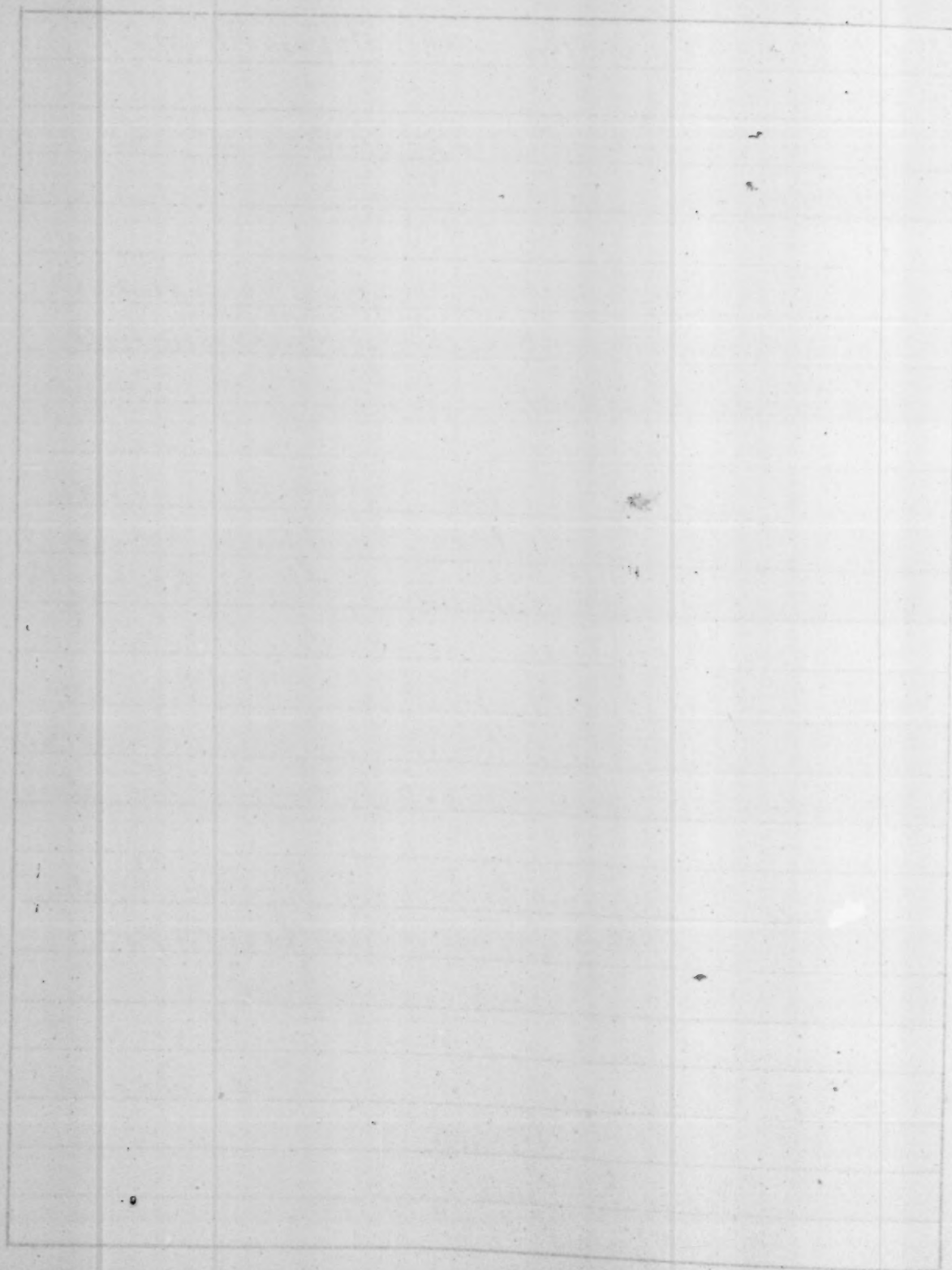
most humble servant

The. Boone

The Right Hon<sup>ble</sup> the  
Lords of Trade.

M. 106.

Received June  
Read July 9<sup>th</sup> } 1764.





13 12 14 O. South Carolina. B. V. Vol. 20 M 107.

Charles Town, S<sup>c</sup> Carolina

May 4<sup>th</sup> 1764.

My Lords,

I have the honour to enclose  
your Lordships two Lists of shipping and  
am with great respect,

My Lord

Your Lordships

Most obed<sup>t</sup> and

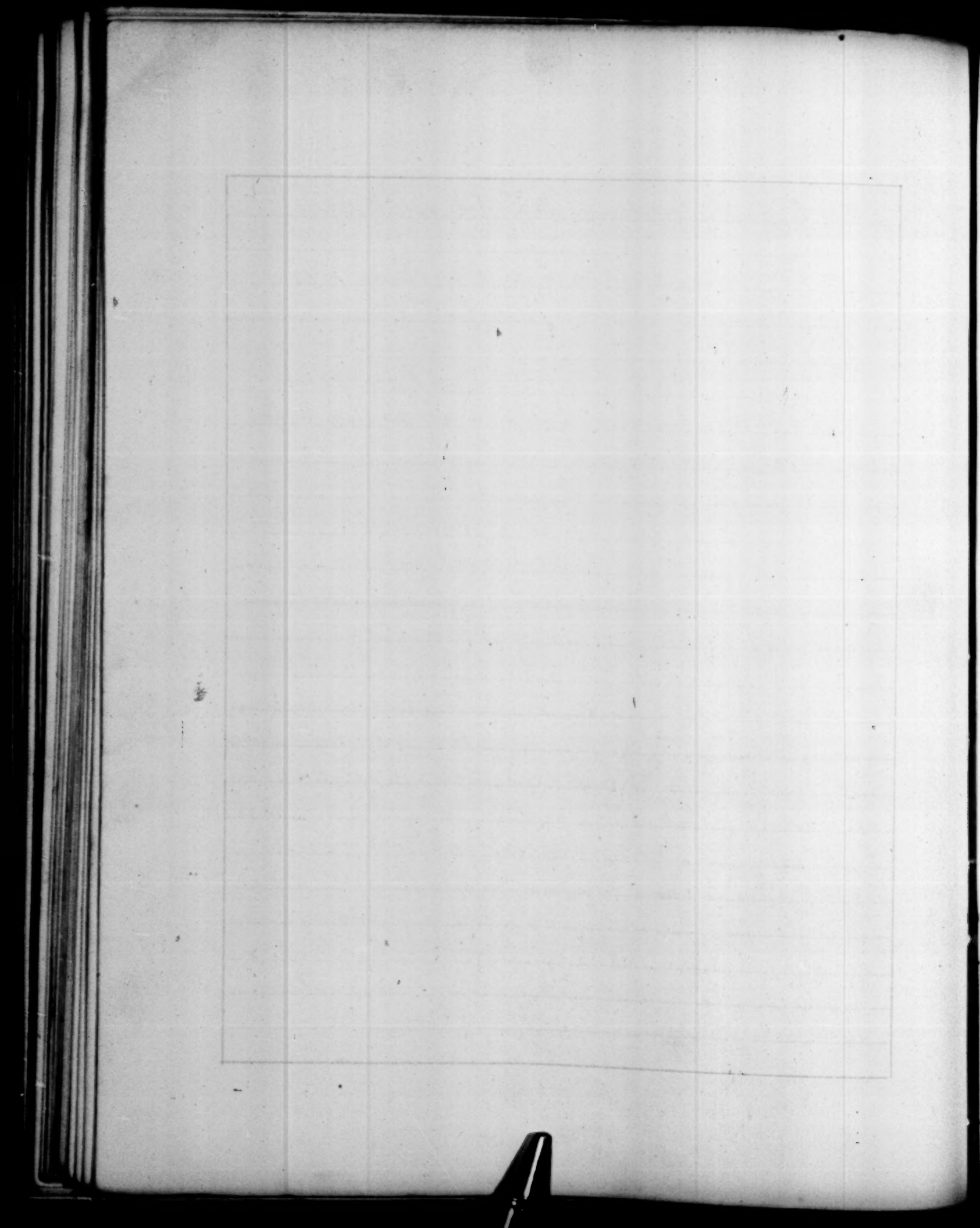
Most humble Servant

Wm Boone

The Right Hon<sup>ble</sup>  
Lords of Trade.

M 107

Received June }  
Read July 9<sup>th</sup> } 1764.



13 P 13 C. South Carolina 13 J. Vol 20 M. 108

Charles Town 16<sup>th</sup> May 1768

My Lords,

I have the honour to acquaint your Lordships that His Excellency Governor Boscawen embarked here on the 11<sup>th</sup> Instant on board the ship Dorset Capt. Chisman for Great Britain in pursuance of leave with which His Majesty has been pleased to indulge him, which I take the liberty to mention as it is possible this notice, sailing so soon afterwards may reach your Lordships before his arrival.

I have nothing to add relative to the state of Public Affairs, since the Governor's departure worthy your Lordships notice, but that I have summoned the General Assembly to meet on the 22<sup>d</sup> instant, and that on the 14<sup>th</sup> John Guerard Esq. one of His Majesty's Council, died of an Apoplexy, and in Obedience to His Majesty's Instructions, I have the honour to transmit to your Lordships the Names of three Gentlemen Inhabitants of this Province whom I esteem qualified, for that Trust, viz<sup>t</sup> Sir John Colleton



Colleton Bart. Henry Lauson & David Dees Esq.<sup>r</sup>  
 I have the honour to be with the greatest respect  
 My Lord, your Lordships  
 Most obedient and  
 Most humble Servant

The Right Hon<sup>ble</sup>

W<sup>m</sup> Bull

The Lords Commissioners

for Trade & Plantations

at Whitehall

M. 108

Received

Read

July 9<sup>th</sup> } 1764

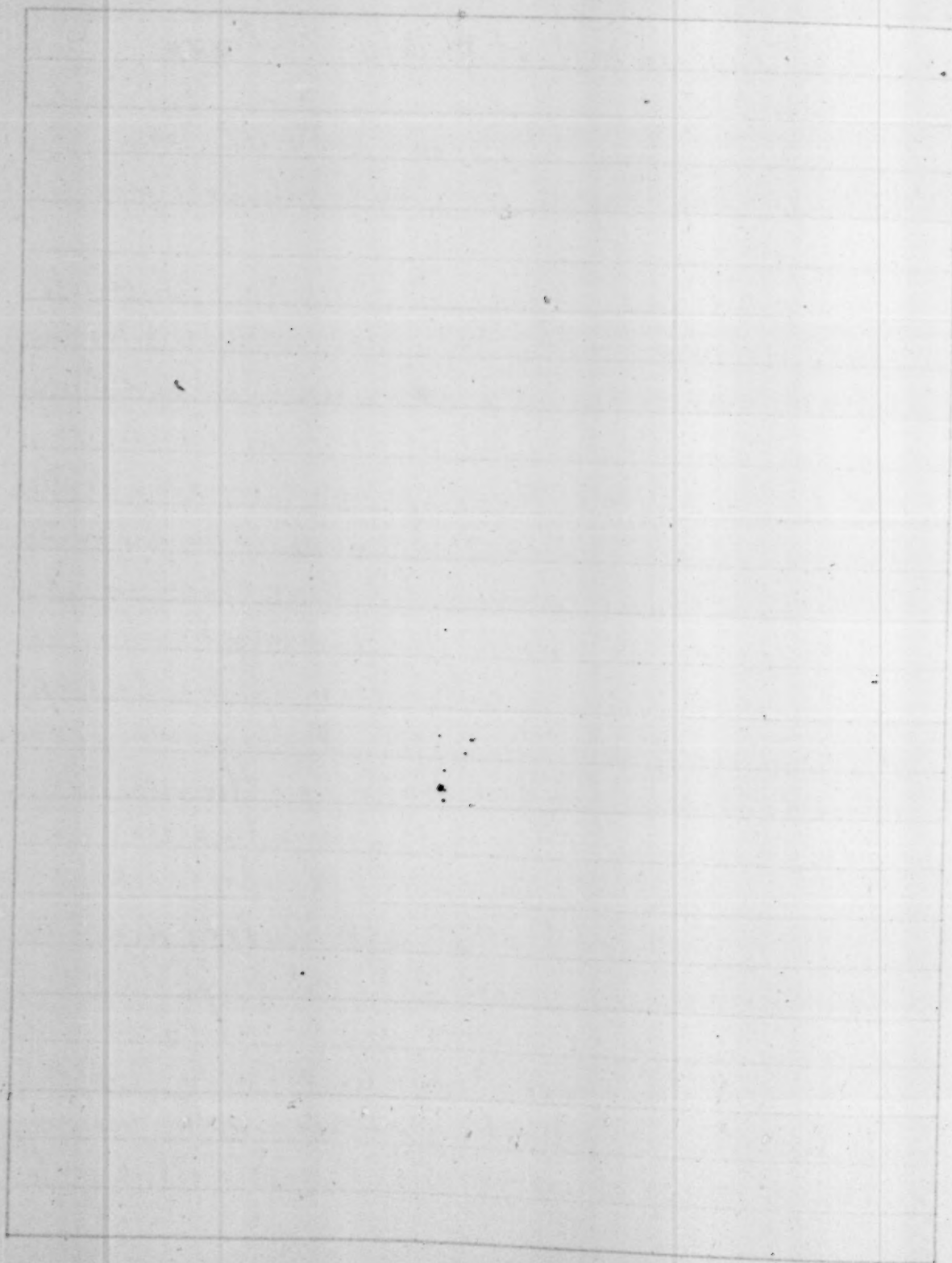
B. P. N. O. America & West Indies. Vol. 223

St James's 9<sup>th</sup> June 1764  
Thomas Boone Esq Gen<sup>l</sup> of South Carolina  
Sir,

It is His Majesty's Pleasure that you should return to this Kingdom, as soon as conveniently may be, to give an account of the state of your Government. And as, upon your departure from South Carolina, the Administration will devolve upon William Bull Esq. His Majesty's Lieutenant Governor of that Province, you will take care to deliver to that Gentleman His Majesty's Commission and Instructions to you, together with all such other Papers as may be necessary or useful to him, in the exercise of that command during your absence.

I am &c.

Wm Pitt





13 12 N. O. America & West Indies. Vol 223

St James's June 9<sup>th</sup> 1768  
W<sup>m</sup> Bull Esq. Lieut. Gov<sup>r</sup> of South Carolina  
Sir,

His Majesty having been pleased to direct Thomas Boone Esq. his Governor of South Carolina, to return, for some time, to this Kingdom, and on his departure to deliver to you, as Lieut. Governor, His Majesty's Commission and Instructions, you will accordingly, upon his quitting the Province, assume the Administration of Government, in which His Majesty doubts not of your most zealous endeavour for the good of his Service, and the welfare and Tranquility of the Province. And as the Commander in Chief of His Majesty's Forces in North America has represented to me, that the Forts in South Carolina, which are garrisoned by Detachments of His Majesty's Troops, are in very bad condition, that they are destitute of Stores, or Ammunition or Provision, and that the Province refuses to give any assistance towards furnishing the necessary supplies, which they formerly used to furnish  
to

to the independent Companies in Garrison there,  
 It is His Majesty's Pleasure, that you should  
 take the earliest opportunity of recommending  
 it to the Assembly of South Carolina, in His  
 Majesty's name, to make Provision for repair-  
 ing the said Forts, and for furnishing His Ma-  
 jesty's Troops, which are garrisoned there, with  
 the same supplies which were formerly fur-  
 nished by the Province to the Independent Com-  
 panies. In all which Particulars His Majesty does  
 expect the ready and cheerful compliance of the  
 said Assembly.

I am &c.

Dunk Halifax.

B P N O. South Carolina B V Vol. 29 page 219.

June 25<sup>th</sup> 1764.

Letter from M<sup>r</sup> Pownall to M<sup>rs</sup> Bull Esq.  
Lieutenant Governor of South Carolina.

Sir,

My Lords Commissioners for Trade and  
Plantations having received particular recommen-  
dations of Mons<sup>r</sup> L'Abbe, one of the French Pro-  
testants who lately went to South Carolina  
under the protection of Government, I have their  
Lordships directions to desire the favor of you  
to shew him such civility and Countenance, as  
his Conduct and Character appear to deserve.

I am with great respect,

Sir,

Your most obed<sup>t</sup>

humble servant,

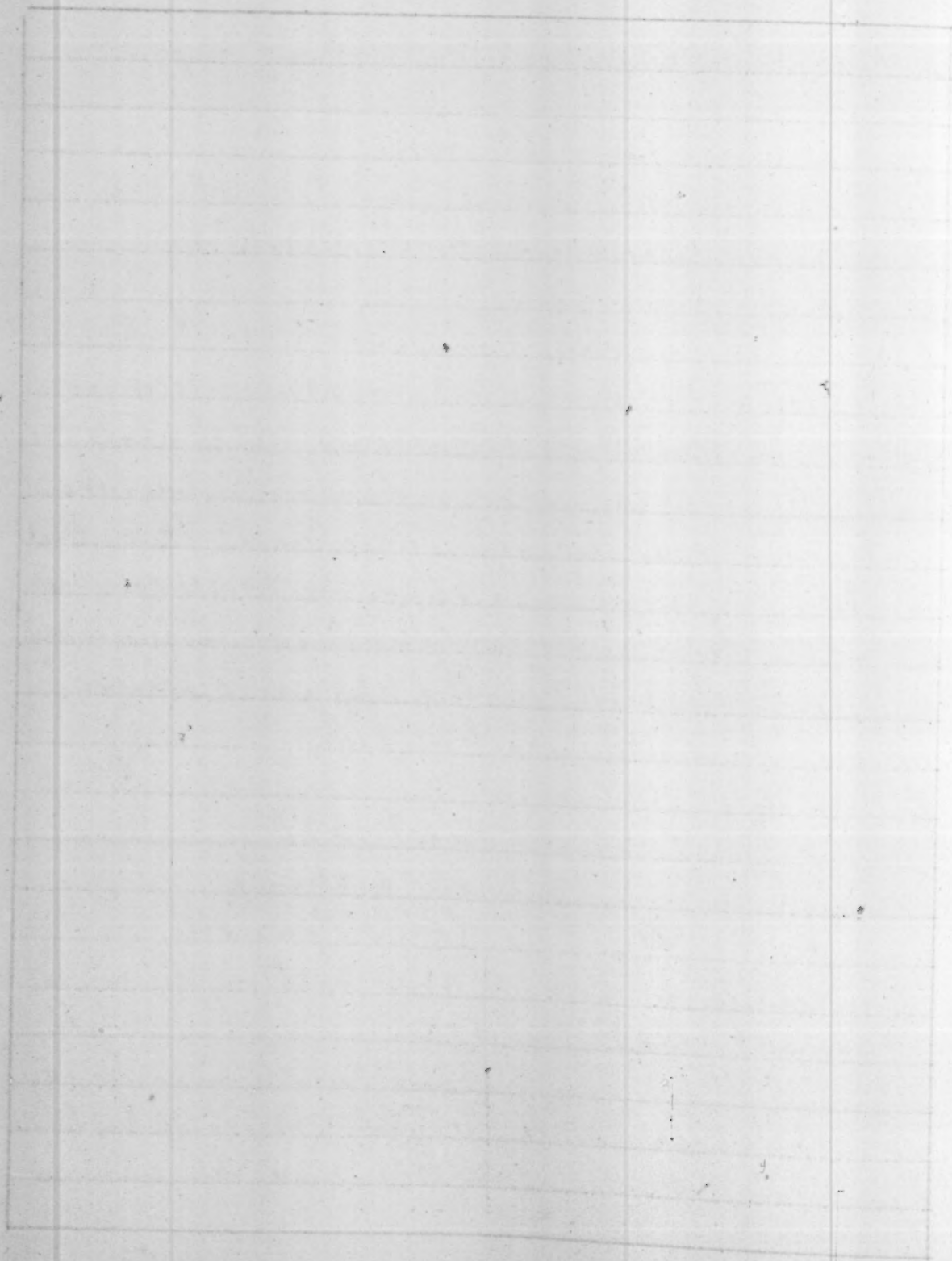
John Pownall

Sec<sup>y</sup>

Whitehall

June 25<sup>th</sup> 1764.





1049  
B. P. R. O. South Carolina. 13<sup>th</sup> Feb 20<sup>th</sup> M 97

To the Right Hon<sup>ble</sup> the Lords Commissioners for  
Trade & Plantations

The humble Memorial of C<sup>t</sup> Garth Esq<sup>r</sup>  
Agent for His Majesty's Province of  
South Carolina

Sheweth,

That by a letter of the 10<sup>th</sup> of May  
lately received from the Committee appointed to  
correspond with him, your Memorialist is instruct-  
ed that the Behaviour shewn to the House of  
Assembly for that Province by His Majesty's Gov<sup>r</sup>  
and complained of in a Petition some Time since  
prefer'd to His Majesty in Council, having been  
continued to the House, has alone put it out of  
their Power to shew their dutiful regard to every  
Measure recommended by His Majesty or His  
Ministry.

That upon all Occasions in the course  
of their Correspondence they have constantly  
express'd themselves anxious lest their conduct  
should appear in any disadvantageous light  
from any Representation that may be made to  
His

His Majesty, as nothing they are more solicitous to maintain than the character of dutiful and loyal Subjects to so mild and gracious a Sovereign whose Protection in all their Constitutional Privileges they are most fully assured of.

That the Assistance requir'd of the House by His Excellency to enable him to carry into execution the measures that have been order'd or recommended from this Board, (relating to the temporary Boundary Line between N<sup>o</sup> & S<sup>c</sup> Carolina, and respecting the French Protestants lately arriv'd) has by no means been refus'd, and tho' not immediately granted, your Memorialist rests assur'd that your Lordships will not impute it to any improper neglect, it being impossible for the Assembly to cooperate with his Excellency without receding from the Resolutions, they have thought themselves under a necessity of taking and adhering to.

That nothing but this could have prevented their Attention being instantly shewn to the same, your Memorialist cannot have a doubt, the Committee of Correspondence having assured him by Letter that the Province will  
cheerfully



cheerfully acquiesce in the temporary Boundary fixed upon by His Majesty, and commanding your Memorialist to pray of your Lordships that nothing may take place as to a final Boundary being settled, until their Agent should be further instructed on that Head: and with regard to the French Protestants, the House of Assembly upon the 23<sup>d</sup> of April last, the day the Governor's Message was delivered to the House, came to a Resolution thereon entered upon their Journals, and "Resolved that the House will (as soon as they can consistently with their former Resolutions) take into consideration the Governor's Message of this Day relative to the French Protestants lately arrived in this Province."

The Committee have farther signify'd to your Memorialist that Governor Boone being determin'd to quit the Province in a few days, they were in hopes the House will soon be able to proceed to business, when they did not doubt, that they will shew His Majesty that the Honor of the Crown and the welfare of the People are the great and immediate objects of their attention.

That

That in justice to the House of Assembly for the  
 Province of South Carolina, your Memorialist  
 has thought it his duty to lay thus much by  
 way of Memorial before your Lordships, lest  
 by his silence, or the Representation of others,  
 your Lordships might have been induced to  
 imagine that his Constituents had been negligent  
 or wanting in Attention to the Measures that  
 have been recommended by His Majesty or His  
 Ministry.

Chas.<sup>r</sup> Garth.

Inner Temple

June 25<sup>th</sup> 1764.

M. 97.

Received June 26<sup>th</sup>

Read June 26<sup>th</sup>

} 1764.

B. P. N. O. South Carolina. B. V. Tel. so. M. 99.

At the Council Chamber Whitehall  
the 26<sup>th</sup> June 1764.

By the Right Honourable the Lords of the  
Committee of Council for Plantation Affairs.

His Majesty having been pleased by His Order in  
Council of the 15<sup>th</sup> of November last, to refer  
unto this Committee the humble Petition of the  
Commons House of Assembly of the Province of  
South Carolina, complaining of Thos. Boone Esq.  
Governor of that Province for refusing to ad-  
minister the State Oaths to a Gentleman declared  
by the last Assembly duly elected and returned to  
serve as one of their Members, who had according-  
ly taken the Qualification Oath, and also for  
dissolving that House for no other reason but  
because their Determination was not agreeable  
to his Sentiments, thereby taking upon him-  
self to be the Sole Judge of Elections; And hum-  
bly Praying, That His Majesty will be pleased to  
grant such Relief therein, as to His Majesty's  
Royal Wisdom shall seem fit. The Lords of  
the



The Committee this day took the same into their consideration, and are hereby pleased to refer the said Petition (a Copy whereof is herunto annexed) to the Lords Commissioners for Trade & Plantations, to consider thereof, and report to this Committee what they conceive proper and adviseable for His Majesty to do therein.

Phil<sup>l</sup> Sharpe

To The King's most Excellent Majesty  
 The Humble Petition of the Commons  
 House of Assembly of the Province of  
 South Carolina.

Most Gracious Sovereign,

We your Majesty's  
 most Dutiful and loyal Subjects the Commons  
 House of Assembly of your Province of Carolina,  
 with Hearts full of gratitude for the many Bless-  
 ings We enjoy under your most auspicious reign,  
 well knowing, by repeated experience, that even  
 your Majesty's most distant Subjects sensibly  
 feel the happy influence of your Royal care and  
 protection, their sure resource in time of need,  
 humbly crave leave to represent

That the Commons House of Assembly, of the  
 said Province, have an undoubted Right to, have  
 always enjoyed, and were never interrupted in, the  
 exercise of that most constitutional and essential  
 Privilege, solely to judge, and finally determine the  
 Validity of the Election of their own Members, un-  
 til your Majesty's Governor Thomas Boone Esq  
 thought fit, in open violation thereof, to refuse  
 administering

administering the State Oath to a Gentleman declared by the last Assembly duly elected and returned to serve as one of their Members, who had accordingly taken the Qualification Oath therein, and to dissolve that House, for no other reason but because their Determination was not agreeable to his Sentiments, thereby taking upon himself to be the sole Judge of Election.

That upon the first Meeting of the present House, We made Application to your Majesty said Governor, "humbly beseeching him to support us in all Our just Rights and Privileges, particularly claiming and insisting upon Our Right of enjoying and using, without Molestation, that most essential and fundamental Privilege before mentioned," but so far from giving us any satisfaction in that respect, He took, and still continues to take, every Method to show his contempt of Us your Majesty's faithful Subjects, and to slight our repeated and necessary Remonstrances.

That, jealous of this open Invasion of the most valuable of our Privileges, the  
characteristic



characteristic of Your Majesty's happy Subject,  
the possession or want whereof we humbly con-  
ceive, must denominate Us to be either Freeman  
or Slave, We therefore found Ourselves reduced  
to the necessity of coming to a Resolution,  
"to do no business with your Majesty's said  
Governor until he should have done Us justice  
in that important Point" in consequence where  
of an interval of eight months has elapsed  
since all Publick Business in this Province, be-  
tween the Governor and Assembly, has been  
interrupted, He still refusing to do Us the so  
much desired justice.

That this delay continues to hinder our  
making such Provision as the exigencies of  
Government require, and as our abilities and  
Inclinations would otherwise lead us to, in-  
jures our Publick Credit, deprives Us of the op-  
portunity of preventing or redressing those  
disorders in the Community which ought al-  
ways to be the Object of Attention to a Legis-  
lative Body; particularly that of endeavouring  
to guard against those dangers with which  
this, as well as the neighbouring Provinces are  
now

now threatened, from the Indians who have lately committed Hostilities against your Majesty's Subjects

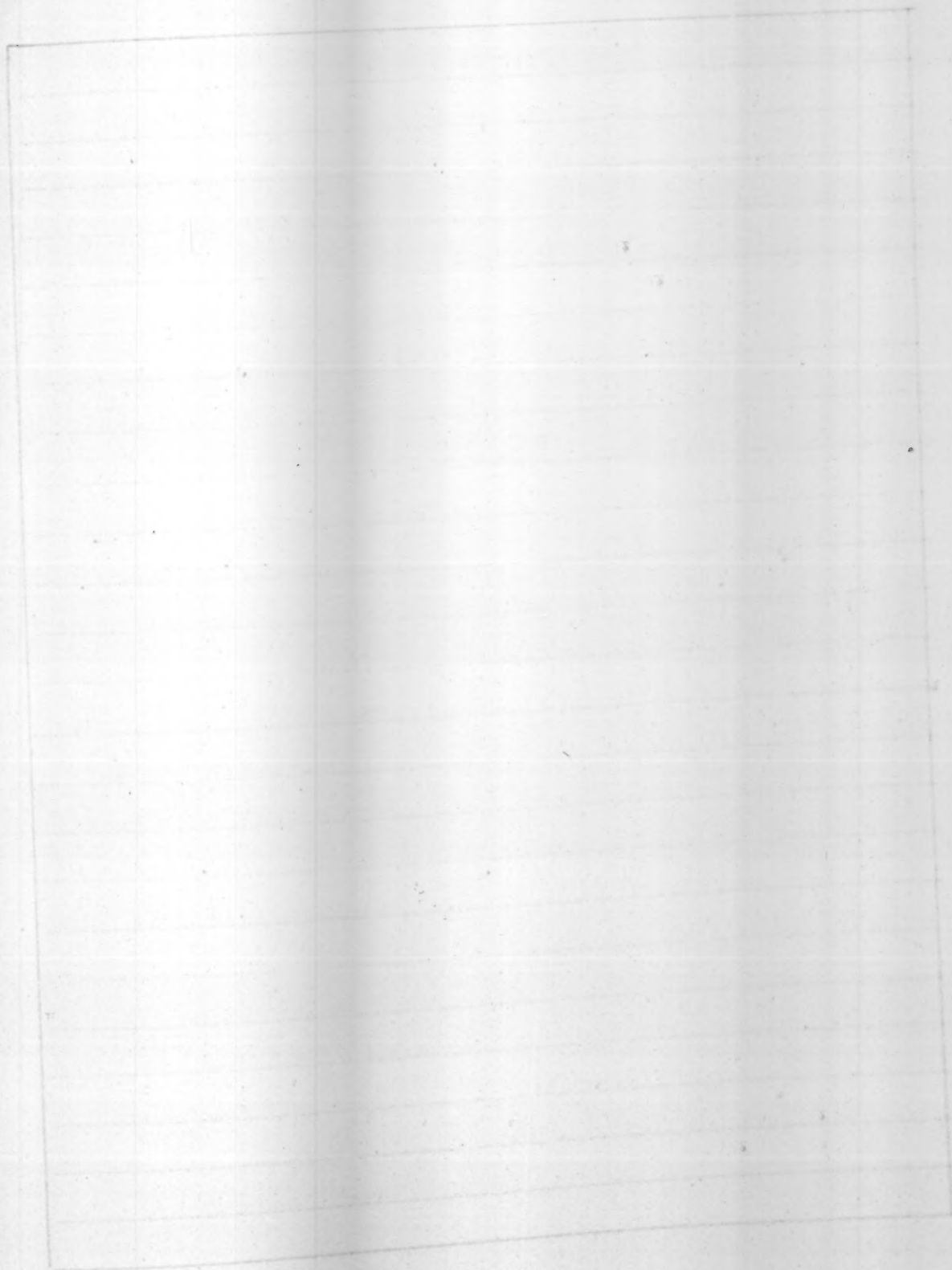
That had the Governor acted conformably to the Paternal and Prerogative Direction in your Majesty's Commission to him, by appointing fit Persons under the Great Seal of the Province to tender and administer the State Oaths to the Persons duly returned according to the Laws and Usage of this Province (an Act not yet done) We humbly conceive this dreadful Evil would not have happened, Wherefore we your Majesty's dutiful and loyal Subjects, confiding in your Majesty's wisdom and known regard to the liberties and Privileges of your People, and in your Royal Goodness and Justice, humbly pray that your Majesty would be pleased to take this Our Petition into your Consideration, and give us such Relief as to your Royal Wisdom shall seem fit.

In the  
Commons House of Assembly  
the 13.<sup>th</sup> Day of Sept<sup>r</sup> 1763.

By Order of the House  
Wm. Landon  
Speaker.

M 99.

Received June 27<sup>th</sup>  
Read July 2<sup>nd</sup> } 1764







B.P.N.C. South Carolina B.V. Vol 29 page 220

July 2<sup>d</sup> 1764.

Letter from Mr. Pownall to Charles Jenkins Esq  
Secretary to the Lords of the Treasury.

Sir,

I am directed by the Lords Commissioners  
for Trade and Plantations to send you the  
inclosed Copy of a letter to me from Henry  
McCulloch Esq, late Inspector and Comptroller  
of the Quitrents in the Provinces of South and  
North Carolina, concerning a doubt which has  
arisen in North Carolina upon the construction  
of an Order from His Majesty, respecting the  
settling of a debt alledged to be due to Mr McCulloch  
from the Crown against his Account with the  
Crown of Quitrents due for Lands held by him  
in that Province.

As this appears to their Lordships to  
be a matter entirely within the Department  
of the Lords Commissioners of the Treasury, they  
submit it to them to give such directions as  
they think proper, upon Mr McCulloch's request,  
which, as far as my Lords Comm<sup>rs</sup> of Trade are  
enabled

enabled to judge of it, does not appear to them  
to be unreasonable.

I am, Sir,

your most obed.<sup>t</sup>

humble serv<sup>t</sup>

John Bowdall

Whitehall  
July 2<sup>d</sup> 1764.



B. P. R. O. South Carolina B. V. Vol. 20 M. 100.

To the Right Honble the Lords Commrs<sup>rs</sup> for  
Trade and Plantations

The humble Memorial of C<sup>o</sup> Gartin Agent for  
His Majesty's Province of South Carolina.

Sheweth

That some time in December last  
your Memorialist delivered in by M<sup>r</sup> Sharpe  
to His Majesty's Most Hon<sup>ble</sup> Privy Council an  
humble Petition to the King's Most Excellent  
Majesty from the Commons House of Assembly  
of His Majesty's Province of S<sup>t</sup> Carolina, complain-  
ing therein of the conduct of His Majesty's Gov<sup>r</sup>  
Thos<sup>t</sup> Boone Esq<sup>r</sup> shewn towards the said House  
of Assembly, and in particular of his having in-  
terrupted them in the exercise of that most  
constitutional and essential Privilege which  
to judge and finally to determine the Validity  
of the Election of their own Members, with the  
Consequences that have follow'd from so precipi-  
tate a Molestation, and praying that His Majesty  
would be graciously pleased to take the same  
into

into his Royal Consideration, and to give them such relief as to His Royal Wisdom shall seem fit.

That the Consideration of the said Petition having been postponed, untill the Governor had been apprized of the same, in order that he might have an opportunity of transmitting his Answer to the Matters therein alledg'd against him, or in Case of his Return which was apprehended and expected, it might be sooner notify'd to him, Your Memorialist begs leave to signify His Excellency's Arrival in England upon the 28<sup>th</sup> of last month.

That your Memorialist is given to understand that His Majesty with the Advice of His Privy Council has been pleas'd to refer the said Petition to your Lordship's Right Hon<sup>ble</sup> Board.

He therefore prays that the same may be taken under consideration of your Lordships, and that your Lordships will be pleas'd to indulge the House of Assembly with being heard before your Lordships in support of their Petition, and the Proceedings of the House by their Counsel learned

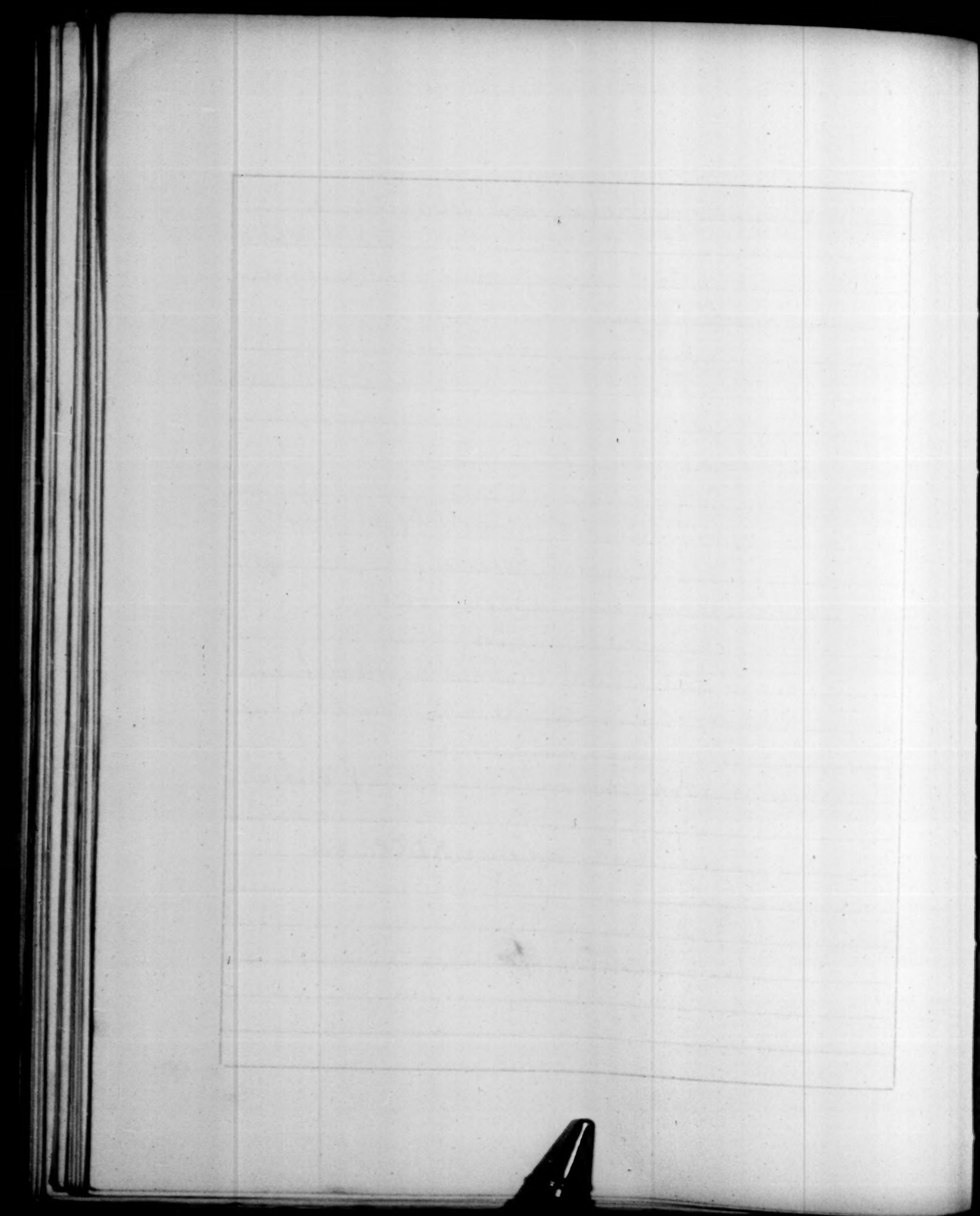
learned in Law, and to permit your Memorialist  
to lay before your Lordships, the proper Touchers  
and Reasons of the Proceedings of the Commons  
House of Assembly.

Chas<sup>r</sup> Garth.

Inner Temple  
July 2<sup>d</sup> 1764.

Ms. 101.  
Read July 2<sup>d</sup> 1764.





162  
B P R O. South Carolina B. J. Vol 20 Ill 101.

A  
Full State  
Of The  
Dispute  
Between The  
Governor  
And The  
Commons House of Assembly  
of His Majesty's Province of  
South Carolina, in America  
With  
The Proper Touchers and Reasons in support of the  
Proceedings of the House of Assembly  
As transmitted to their Agent in Great Britain

Printed in the Year MDCCCLXIII

(Printed. pp 78.)





B. P. R. O. South Carolina. B. J. Vol. 29 page 221.

Letter from M<sup>r</sup> Pennall to Charles Gartin Esq  
July 3<sup>rd</sup> 1764.

Sir,

The Lords Comm<sup>rs</sup> for Trade and Plantations having considered your Petition praying to be heard by your Council in support of the Petition of the Town House of Assembly of South Carolina, complaining of the conduct of Governor Boone, that Lordships have appointed Friday next the 6<sup>th</sup> inst for taking the said Petition into consideration, and will be ready on that day to hear what you may have to offer upon it.

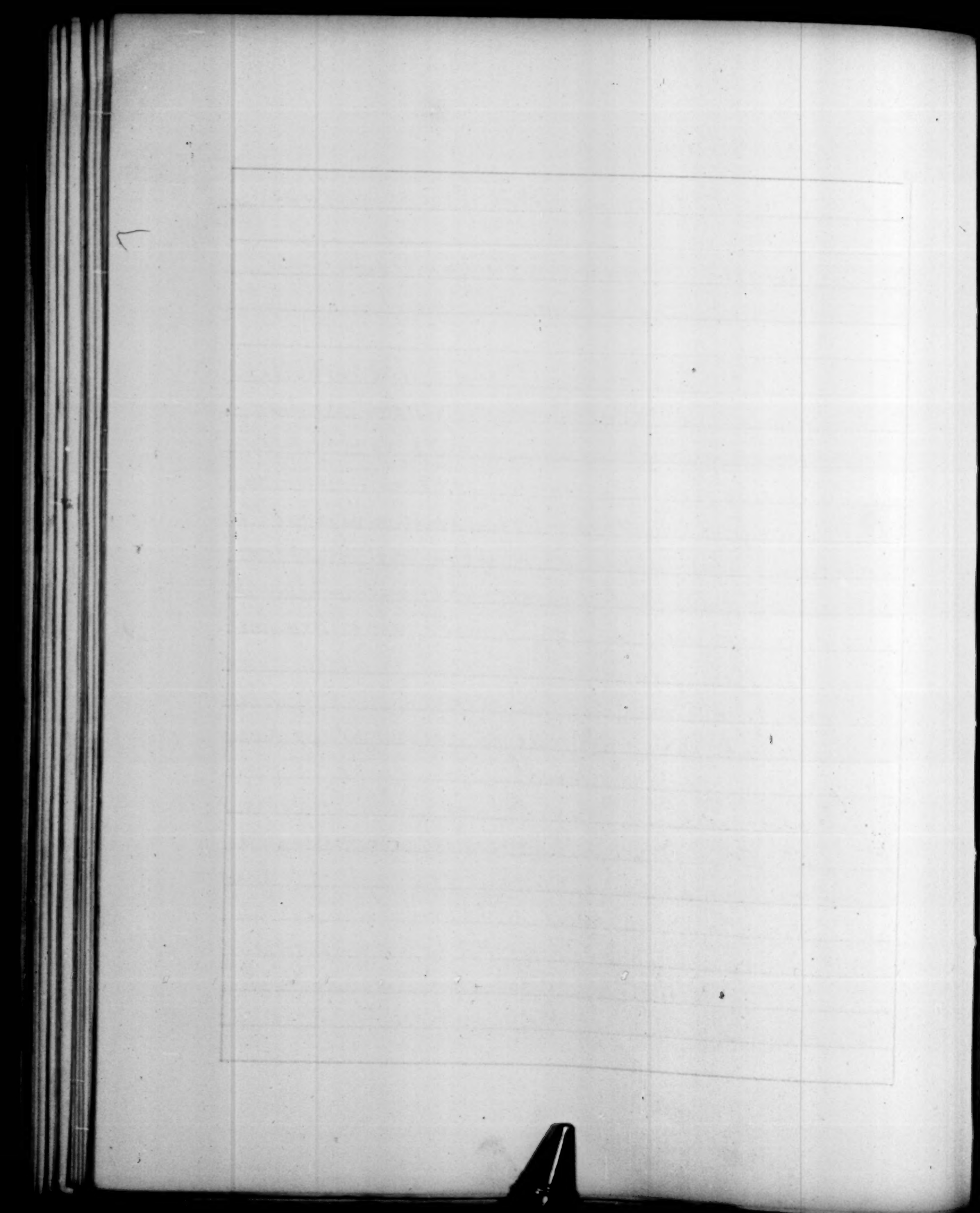
I am,

Sir, &c.

J. Pennall

Whitchall

July 3<sup>rd</sup> 1764.



B. P. N. C. South Carolina B. I. Vol. 29 page 222

Letter from Mr Pennall to Geo. Boone  
July 3<sup>rd</sup> 1764

Sir,

The Lords of the Committee of Council for Plantation Affairs having refer'd to the Lords Commissioners for Trade and Plantations, for their consideration and Report, a Petition to His Majesty of the Lower House of Assembly of the Province of S<sup>c</sup> Carolina, complaining of your having refused to administer the Oath of Allegiance to a Gentleman, declared by the said Lower House of Assembly duly elected and returned to serve one of their Members, who had accordingly taken the Qualification Oath, and also of your having dissolved the House for no other reason but because their determination was not agreeable to your Sentiments; and humbly praying, that His Majesty will be pleased to grant such relief to them as to His Majesty's Royal Wisdom shall seem meet, I am directed by their Lordships to send you the inclosed Copy of the said Petition, and to acquaint you that the Agent for the Province has



have moved to be heard by Counsel upon the said  
Petition, their Lordships have appointed Friday  
next for hearing what he has to offer upon it,  
on which day they will also be ready to hear  
what you may have further to offer in support  
of your conduct.

I am with great regard,  
Sir,

Your most obed.  
humble Servant  
J. Pownall.

Whitehall  
July 5<sup>th</sup> 1764.

P.S. I send you by their Lordships directions, a  
printed Collection of the Papers and Proceedings  
concerning the dispute, to which the Petition of  
the House of Assembly refers, which has been laid  
before their Lordships by the Agent.

B. P. H. O. America & West Indies Vol. 223

Charles Town July 6<sup>th</sup> 1764

My Lord,

On the 28<sup>th</sup> of June last by a vessel from New York, I had the honour of receiving your Lordships letter dated the 19<sup>th</sup> October, signifying His Majesty's Pleasure that the Gov<sup>r</sup> of this Province should in His Majesty's Name require the Assistance of the General Assembly for the more speedy putting an end to the Indian War, which without any loss of time, I immediately laid before them, and I beg leave to repeat to your Lordships their answer thereupon. That they had upon all occasions manifested a loyal and zealous desire to comply with any Requisition made to them for His Majesty's service; but they observe, how strongly & ever the Province might have been inclined to give its assistance, yet the request came so late as to render any attempt for that purpose altogether ineffectual, And as I had not communicated to them any account that General Gage had made any application to me upon that head,

it

it would be a vain and unnecessary Endeavour to make a Provision for the same.

Your Lordship will permit me to assure you that I have received only two letters from General Gage since Governor Boone's embarkation for England, in which there is not the least mention of his desiring any assistance from this Province. Nor do I believe Governor Boone received any to that effect, as I make no doubt but he would have communicated it to me, I have the honour to inform your Lordship that the Assembly have made Provision for a Company of Rangers to cover the Western Frontiers from the Incursions of Indians which have given much alarm lately in those parts, but I am in hopes by the constant motion of these Rangers who are now on their Duty, & the alertness of the neighbouring Militia they will not for the future be so soon apt to abandon their Settlement on the appearance of a few Indians.

I have the honour to be with the greatest respect

My Lord your Lordships

To the Most obed<sup>t</sup> & most humble servant  
Right Hon<sup>ble</sup> the Earl of Halifax W<sup>m</sup> Bull



B. P. N. O. South Carolina B. V. Vol. 29 page 224

July 10<sup>th</sup> 1764

To the King's most Excellent Majesty

May it please your Majesty,

There being but nine persons Members of your Majesty's Council of the Province of S<sup>c</sup> Carolina by your Majesty's appointment, We humbly beg leave to propose that Sir John Colleton Bart and Henry Laurens Esquires, who have been recommended to us as persons every way qualified to serve your Majesty in that station, may be appointed of your Majesty's said Council.

Which is most humbly submitted

Willsborough

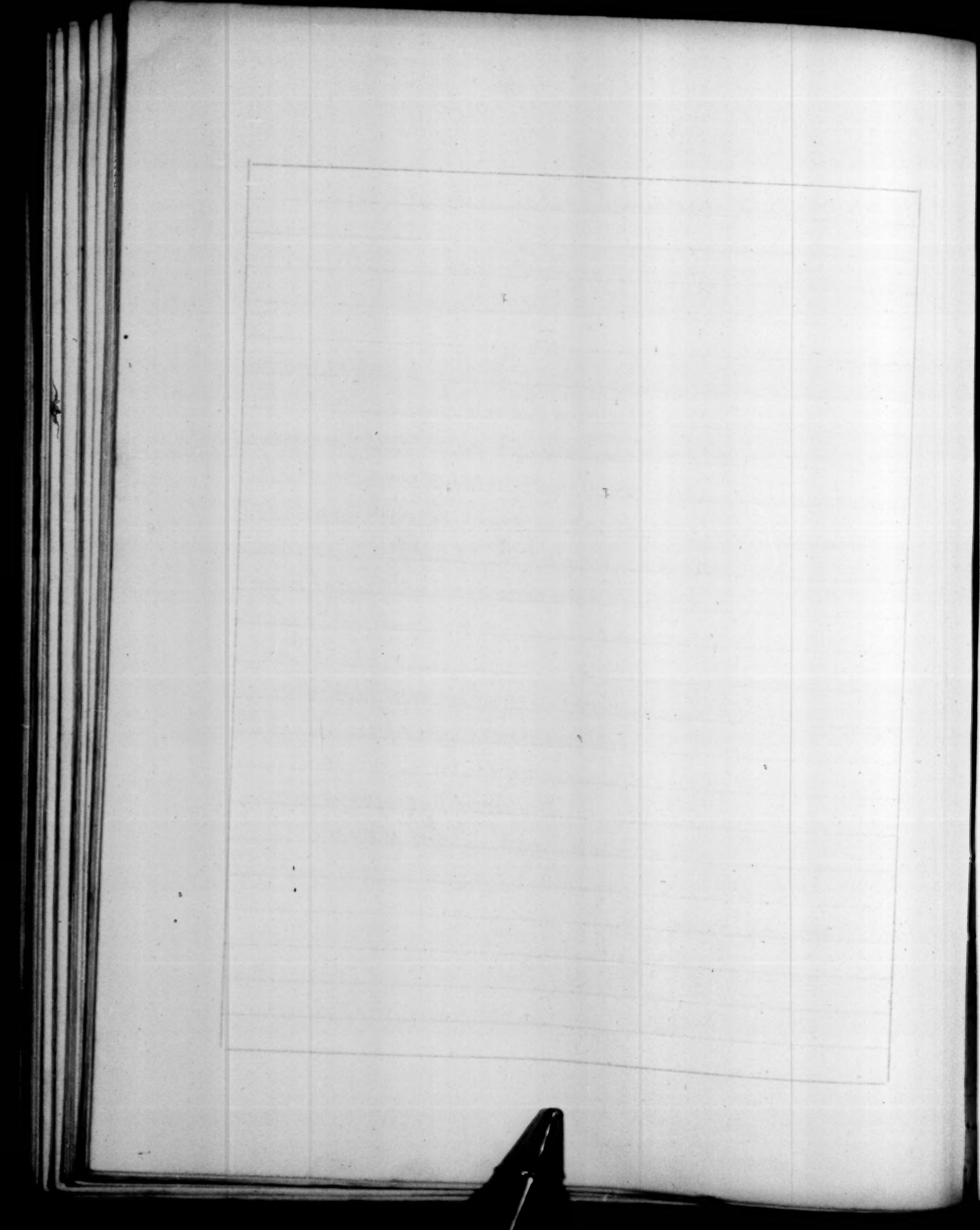
Geo. Rice

Bamber Gascoyne

J. D. Gordon

Whitchall

July 10<sup>th</sup> 1764



171  
B P N O. South Carolina. B. S. Vol 29 page 225

Letter to M<sup>r</sup> Bull Esq. Secy Gen<sup>l</sup> of S<sup>c</sup> Carolina  
July 13<sup>th</sup> 1764.

Sir,

We have received your letter to us,  
dated the 16<sup>th</sup> of May, acquainting us with the  
death of M<sup>r</sup> Guerard, one of the Council, and  
We have in consequence thereof recommended  
Sir John Colleton and Colonel Laurens to supply  
two of the Vacancies.

So we bid you heartily farewell  
and are,

Sir,

Your very loving Friends  
Wellsborough

Lee Rice

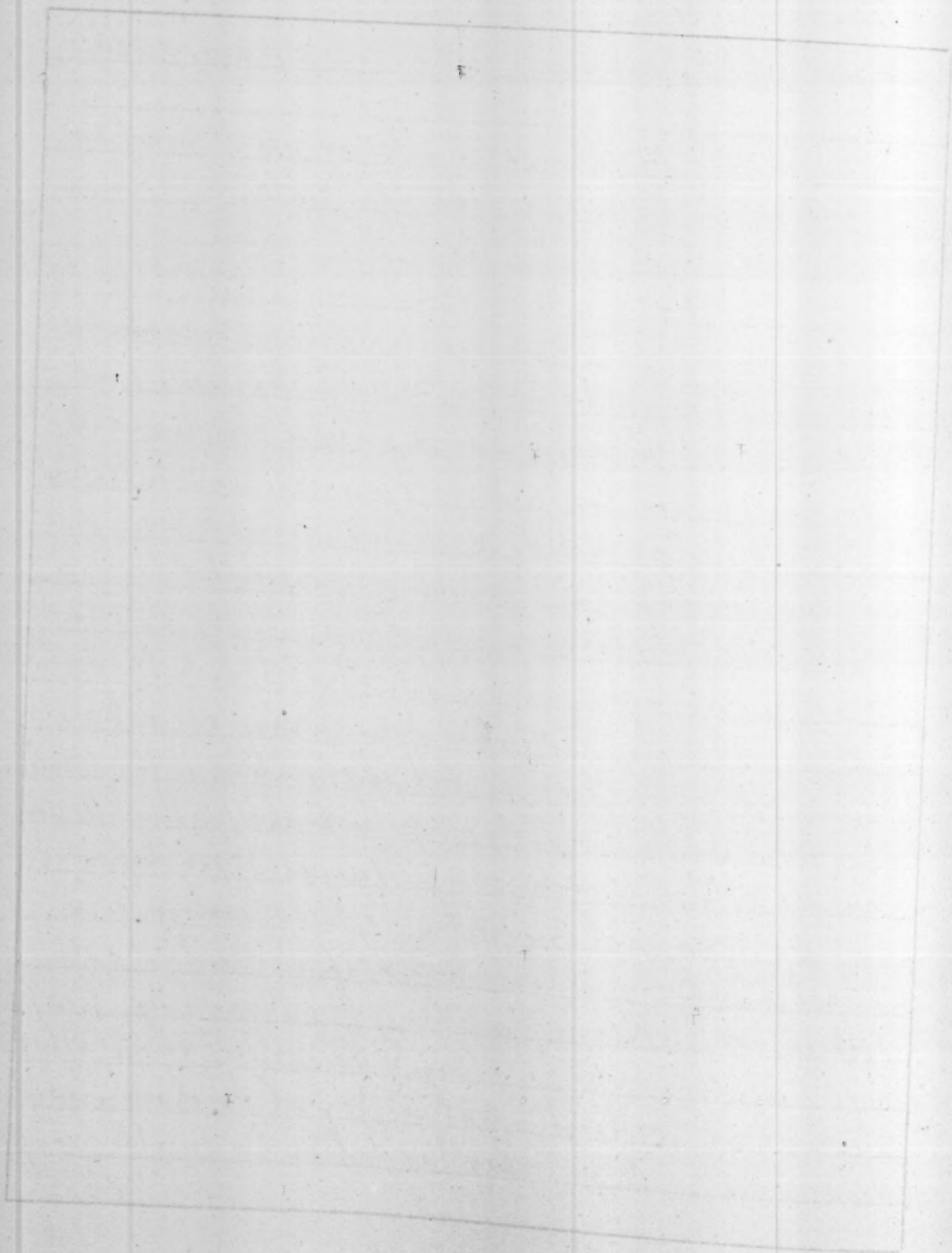
Bamber Gascoyne

J Dixon

Whitehall

July 13<sup>th</sup> 1764





172  
B P R O South Carolina. B I Vol. 29 page 226.

To the Lords of the Committee of His Majesty's  
most Honourable Privy Council for Plantation Affairs.

July 16<sup>th</sup> 1764.

My Lords,

In pursuance of your Lordships  
order of reference to us of the 26<sup>th</sup> of June last,  
We have taken into consideration the humble  
Petition of the Commons House of Assembly of  
the Province of South Carolina, complaining of  
Thomas Boone Esq Governor of that Province,  
for refusing to administer the State Oath to  
a Gentleman declared by the last Assembly duly  
elected and returned to serve as one of their  
Members, who had accordingly taken the Quali-  
fication Oath, and also for dissolving that House  
for no other reason, but because their determi-  
nation was not agreeable to his Sentiments,  
thereby taking upon himself to be the sole  
judge of Elections, and humbly Praying, that  
His Majesty will be pleased to grant such relief  
therein as to His Majesty's Royal Wisdom shall  
seem meet, and in order the better to enable us to  
suggest

suggest to your Lordships, what it may be proper and advisable for His Majesty to do therein, We have heard the Petitioners by their Counsel in support of their Petition, and the Gov<sup>r</sup> by himself (without Counsel at his own request) in his defence.

Whereupon We beg leave to report to your Lordships

That the Governor appears to us to have taken up the matter in dispute with more zeal than prudence and in the process of it to have been actuated by a degree of Passion and Resentment inconsistent with good Policy, and unsuitable to the dignity of his situation.

It also appears to us that the Commons House of Assembly allowed themselves to be so far provoked as to forget their Duty to His Majesty & to their Constituents, inasmuch that they put a stop to all the Publick Business of the Colony during upwards of eight months, by coming to, and persisting in a Resolution, equally unjustifiable in itself and disrespectful to His Majesty, to do no business with His Majesty's Governor, until they should have received  
satisfaction



satisfaction from him upon the Point in question.

We beg leave farther to report to your Lordships, that We do not lay our opinion before your Lordships upon the Subject Matter of the Contest between the Governor and the Commons House of Assembly, because We humbly conceive it is both unnecessary & improper, that any explicit Declaration should be made to that House thereupon; And as the Gov<sup>r</sup> has returned to this Kingdom, We have only to recommend to your Lordships to advise His Majesty, that We may receive Directions to send Instructions to the Lieut Governor to acquaint the Commons House of Assembly that His Majesty hath considered their Petition, and hath directed him to assure them, that, as on the one hand His Majesty will on no account depart from His Royal Prerogative, so on the other His Majesty will extend his paternal Protection to all His Subjects in support of such Rights and Privileges as they shall appear to be justly entitled to, but that His Majesty has seen with concern, that the Commons House of Assembly of His Province of North Carolina should have so far violated their Duty to His Majesty, and His Subjects that

that Province as to have totally interrupted the  
 Public Business of the Province for so long a time  
 as eight months on account of a Contest between  
 them and His Majesty's Governor, and even before  
 they had laid their complaint dutifully before  
 His Majesty, a conduct highly deserving His Ma-  
 jesty's Royal Displeasure; And we are humbly of  
 opinion it will very much tend to quiet the  
 Minds of the People, and to prevent Disputes of  
 the same nature from arising for the future,  
 if His Majesty shall be pleased to direct us to  
 signify His Royal Pleasure to the Lieut. Governor,  
 that he do execute that part of his Commission  
 which empowers and requires him to appoint  
 Deputies to administer the State Affairs to such  
 Persons as shall be returned to serve as Mem-  
 bers in the Commons House of Assembly.

All which is most humbly submitted

Hillsborough

Jos. Rice

Bamber Gascoyne

J. Dyson

Whitchall

July 16<sup>th</sup> 1764.

176  
B P R O South Carolina. B V Vol 20 M 109.

(23<sup>d</sup> July 1769)

To the Right Honourable Lords Commissioners  
of Trade and Plantations  
The Memorial of John Greg

Humbly Sheweth

That your Memorialist hath  
a considerable demand upon the Publick, occa-  
sioned by a transaction recent in your memorial  
Account of which he begs leave to lay before you,  
praying that your Lordships may take it  
into consideration, and make such report upon  
it as the justice of the claim may be found to  
merit, and to your wisdom may seem meet  
And your Memorialist will be ever thankful  
John Greg.



Dr M<sup>r</sup> John Greg his Account Current with  
Torrans and Peaug of Charlestown.

1764.

To Cash paid the Attorney General for  
Opinion on the Charterparty . . . . £ 10 . . .  
Paid for firewood and cartage of the Passengers  
baggage . . . . . 41. 10. -

Paid for Beef supplied the Passengers for 17  
days after their arrival, the ship finding them  
in 12 more per Charterparty 3<sup>1</sup>/<sub>2</sub> at 12 per lb. &  
189<sup>1</sup>/<sub>2</sub> bread at 5 per lb. . . . . 170. 6. 0.

Paid freight of passengers as per Arbitration  
£ 567. 9. 7 sterling at 700 per Ct. . . . . 3972. 7. 1.

Our Commission on £ 4186. 11. 1 at 5 p Ct. 209 6. 2.  
£ 4403 9. 3

The Public to John Greg

Jan<sup>y</sup>

To demurrage paid by R. Allen . . . . 62. 18. 0.

To Ballance of Torrans & Peaug  
annexed £ 1191. 19. 9 currency @ 700 per Ct. 170. 5. 7.

233 3. 7

C<sup>r</sup> M<sup>r</sup> John Greg his Account Current with  
 Terrans and Peang of Charleston.

1764.

By Bounty rec<sup>d</sup> on 127 Passengers, £ s d  
 the remainder of 132 landed, being  
 under 2 y<sup>r</sup> viz: 104 at £4 and 22  
 at £2 is £460 sterling at 100 per £ 3220. 0. 0.  
 Deduct our Commission for receipt  
 and settling the bounty at 2½ per cent 80 10. 0  
£ 3139 10. -

By so much received from the  
 Owners of the ship for 14 days  
 subsistence of butter and beef as  
 per calculation . . . . . 72 - -

May 18.

By Balance due Terrans & Peang 1191 19 3  
£ 4403. 9. 3.

Commission £ 289. 16. 2 is sta: £ 41. 8.

M 109  
 July 23<sup>d</sup> 1764.





B. P. R. O. America & West Indies. Vol. 223.

Charles Town, July 26<sup>th</sup> 1764.

My Lord,

I did myself the honour, a considerable time ago, of sending inclosed to your Lordship a letter to the King, and a Treatise on the Indians of North America to be presented to His Majesty. My having no account of the fate of this Treatise fills me with anxiety; with anxiety for fear your Lordship should not have thought it worthy to be presented: And yet I know I ought to have no such fears from your Lordship's character, and known goodness. I know it but can't make myself easy.

It occurs to me that what I did may appear too much presumption for a Man in so low a station, but the reasoning is the same whether by a Captain, or one in the highest sphere. And that reasoning must be poor indeed which can make the rank of the reasoner thought of. What I said was with the most scrupulous adherence to truth, and the inferences appeared to me almost equal to a Mathematical Demonstration.

The

The cause I undertook seemed to me highly interesting, not from political reasons only, but from moral and religious views. I should not else have dared to have sent a performance of mine to a King greater than that Name. I had no selfish views & would not have signed my Name had I not thought it unavoidable to do otherwise. It was with reluctance I mentioned anything where I myself had been concerned, and thought so little a thing as self very inconsistent with a design that to me appeared laudable and generous.

I am no scribler nor given to meddle in affairs that don't concern me. And if the Character of the Writer of that Treatise is of any consequence, I have the honour to be known to my Lord Loudoun, to Gen. Abercromby, to Sir Jeffery Amherst and to General Gage, & ought to be very well known to General Stanbury, to whom I wrote a letter above two years ago, from a selfish view, & where I was far from speaking modestly of myself. I told your Lordship in a former letter that I am a Captain in the Royal Americans. I have the honour to be, with great respect,

My Lord, your L<sup>ts</sup> most obed<sup>t</sup> & very humble servant  
 Gavin Cochrane

B. P. R. O. South Carolina. B. P. R. 29 page 230

William Bull Esq. Lieut. Gov<sup>r</sup> of S<sup>c</sup> Carolina  
August 15<sup>th</sup> 1764.

Sir,

I am directed by the Lords Commissioners for Trade and Plantations to transmit to you the inclosed copy of a Memorial presented to them by M<sup>r</sup> John Greg of London, Merchant, in partnership with Mess<sup>rs</sup> Terrans and Peaug of Charles Town, stating a Balance due to them, on account of the French Protestants, who were ordered by His Majesty, to be sent over last year to South Carolina.

By the Account annexed to this Memorial, you will observe, that this Balance arises partly from Expences incurred by Mess<sup>rs</sup> Terrans and Peaug, in supplying these Protestants with Provisions and other accommodations af<sup>r</sup> their arrival at Charles Town, and therefore Your Lordships desire, that you will take the first opportunity of recommending to the Assembly to make provision for the payment of this part of the expence incurred, which appears to be



so reasonable in itself, and so proper an Object  
of their consideration.

I am with great respect

Sir,

Yc<sup>rs</sup>

John Pownall. Sec<sup>y</sup>

Whitchall

August 15<sup>th</sup> 1762.

B. P. H. C. South Carolina. 13th. Feb. 21. 1761.

Charles Town 20<sup>th</sup> August 1762.

My Lords,

I have the honour to acquaint your Lordships that upon the Vacancy in Council by the death of M<sup>r</sup> Gerard according to his Majesty's 8<sup>th</sup> Instruction to Governor Boone I appointed Thomas Shelborne Esq. Secretary of the Province to be one of the Council. And in obedience to His Majesty's Royal Mandamus I have admitted John Burn Esq. to be a Member of His Majesty's Council.

The Commissioners from this Province met those from North Carolina at the Boundary House on the Sea Coast the 27<sup>th</sup> July and are now executing His Majesty's Commands in running the temporary Line of Jurisdiction between the two Provinces, tho' I expect it will not be completed till the end of next month, I thought it my Duty in the meantime to acquaint your Lordships with the Progress they have made, I have with the consent of Governor Ogle directed the distance to be measured as they proceed

proceed, which will settle the Geography of that part of the Province and be some rule in rectifying that of other Western Parts.

I must intreat your Lordships pardon for mentioning the following article which tho' of small consequence may shew the disposition of the Cherokees. The young Warrior of Estatee having agreeable to the Treaties subsisting between His Majesty and the Cherokees arrested two Creek Indians concerned in murdering a white Man at Long Canes the beginning of last May and delivered up the Murderer in order that he sh<sup>d</sup> be put to death by the English. I thought it very prudent to encourage such an observation of Treaties by giving him a reward for that service, and the Assembly voted £100 sterling accordingly. And he having complained that some straggling Englishmen have begun to settle not above 12 or 15 Miles from their Towns contrary to the Boundary stipulated between the English and Cherokees I have given orders that those Trespassers should be driven off, and their Huts burnt.

The last Accounts I received from the  
Creeks



Creeks, which are confirmed by Major Warner, inform me that they are so much satisfied with the punishment which the Creek murderer is to receive, as to have no thought of revenging it, and I am in hopes it may be true as we have had no late alarms from them.

The Assembly having given £500 sterling for the settling the Colony of French Protestants I sent them some weeks ago in two Divisions, with Waggons for their Tools and Baggage, to begin their Settlements, and the remainder consisting mostly of Women, I still keep in Town till the Colony have made some shelter for their Reception, which may be in a few weeks. Some few through disgust or Quarrels having separated I have settled at Parrysburgh. I have taken the liberty of honouring this Township with the name of Hillsborough and to its little Town given that of New Bordeaux from whence many of them came. Upon the frequent alarms which disturbed the settlers about Long-Canes lying South from us. I prevailed on the Assembly to cover them with a Company of Rangers, a detachment of which I have ordered to cover  
and

and assist the French Colonists on their first settling.

Governor Boone in consequence of His Majesty's Royal Proclamation commanding a free open Trade to be carried on with the Indians, having granted some Licences, I have granted several since his departure; so that Traders are now dispersed through the Nations, altho' not yet so plentifully as they were before the Cherokee War. The Act of Assembly passed 2 years ago for taking the Cherokee Trade into the hands of the Public, is not to be revived or continued as being contrary to His Majesty's Proclamation.

The Act for encouraging Protestants to become Settlers here, past in 1761, has had so good effect as to have brought near 600 persons over mostly within the last 12 months. The Act will be revived and continued. And in order to give some check to the great import of Negroes by which the safety of the Province may be endangered, the Assembly have now under consideration a Bill to prevent the importation for 2 or 3 years.

It is with great pleasure that I acquaint  
your

your Lordships that in pursuance of the Act of Parliament for permitting the exporting of Rice to any part of America South of Georgia, I have already issued licences to 8 vessels which may carry about 2000 Bbls of Rice, all to the Savannah. And when this Act is generally put in execution it will prove of very great advantage to this Province and Georgia.

In obedience to your Lordships Commands signified by your Secretary M<sup>r</sup> Pownall I have laid before the Assembly his Majesty's 39<sup>th</sup> Instruction to Governor Boone and strongly recommended to them the building of a Gral. The matter was referred to a Committee, who reported that a Law should be brought in for building a Gral. But the Assembly acquaint me by Message that the season of the year being far advanced, and the heat of the weather rendered long sitting inconvenient, they must defer the consideration of the Report till the Winter, and I shall not fail, if necessary, to put them again in mind of it.

The Assembly are still sitting, and as soon as the Session is finished I shall be obliged the Honour to lay before your Lordships an account of



of the Acts which have employed their attention,  
until I can transmit Copies of them to your  
Lordships.

I have the honor to be with the greatest respect

My Lord

Your Lordships

most obedient and

most humble servant

To the right hon<sup>ble</sup>

W<sup>m</sup> Bull

The Lords Commissioners  
for Trade & Plantations

N. 1

Received Oct. 15<sup>th</sup>  
Read Dec. 17<sup>th</sup> } 1767.

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B. P. H. O. America & West Indies Vol. 223

Charlestown Sept<sup>r</sup> 13<sup>th</sup> 1764

My Lord,

By the way of New York I had the honor of receiving your Lordship's letter of the 9<sup>th</sup> of June yesterday. And I beg leave most humbly to assure your Lordship that no endeavours in my power shall be wanting to promote His Majesty's service and the Welfare and Tranquility of this Province, and I shall take the earliest opportunity of laying before the General Assembly His Majesty's Pleasure relating to the Matter which your Lordship has mentioned, and I persuade myself that I shall meet with their ready compliance therein from the duty and loyalty to His Majesty which they have shown on all other occasions.

In the mean time I think it my Duty to acquaint your Lordship, that soon after my entering upon the Administration after Governor Burnet's departure, I recommended to the Assembly the making provision for the effectual repairing of Fort Prince George and Fort

Fort Moore, for re-muniting the Cannon therein,  
 for the carriage of Provisions Ammunition and  
 the like to those Out Posts. They thereupon resolv-  
 ed to provide, and desired me to give Directions to  
 have Fort Prince George new stockaded, and the  
 Storehouses repaired, which work being most  
 durable if the materials are prepared in Winter,  
 I have given Directions accordingly; but as even  
 those repairs will hardly last four or five years,  
 I have caused enquiry to be made whether bricks  
 and Limestone can be had in the neighbourhood  
 thereof. The Assembly provided also for re-munit-  
 ing the Cannon, some Vols, and a Cart and Horses  
 to supply the Garrison with Powder, which  
 convenience had never been allowed to the Inde-  
 pendants. With regard to Fort Moore they answer  
 the repairing is unnecessary, as they on the 29.<sup>th</sup> of  
 May 1762. sent a Message to the Governor signi-  
 fying their disapprobation of continuing that  
 Fort there (it having been represented to be in  
 an inconvenient Situation) and recommending  
 one to be built at Stephens Creek or thereabouts,  
 and of more substantial materials, concerning  
 which I shall desire the favour of Captain  
 Cochrane's



Cochrane's opinion as soon as he has taken a view of the place. The Assembly said further that they looked upon the Province as no longer under any obligation to bear the expense of transporting provisions to the Out Posts by virtue of the Contract with Lord Soudon after the Independent Companies were broke, the more especially as they are informed that none of the Northern Provinces are or have been at any expense on such occasions yet to prevent the Forces at present in such Out Posts from suffering in the intermediate time, they provide for that service till the first of January next.

I have already and shall continue to furnish Captain Cochrane Commander of the King's Troops on duty in this Province with such Ammunition as he has represented to me to be necessary for the said Posts, and I do myself the honour of corresponding with General Gage that I may as far as lies in my power most readily give my Assistance towards carrying into execution any Matters that have the least tendency to promote the good of the King's service, or for the accommodation of  
His

His Majesty's Troops on duty here  
 I have the honour to be with the greatest respect  
 My Lord

Your Lordship's  
 Most obedient &  
 most humble servant  
 Wm Bull

To  
 The Right Honble  
 Dunk Earl of Halifax  
 one of His Majesty's  
 Principal Secretaries of State  
 at St James's.

Received 14<sup>th</sup> November

193  
B. P. R. O. South Carolina 13<sup>th</sup> Feb. 21 N. 2

Charles Town September 13<sup>th</sup> 1764

My Lords,

Since I had the honour of writing  
last to your Lordships I have received a Talk, as  
Indian Memorials and Messages are called among  
us, from the Mortar, who has long been the Head  
of the French Party among the Creek Indians, which  
he sent to Augusta, by a Deputation of Indians, im-  
porting that he is thoroughly sensible of the ma-  
ny outrages and Hostilities that he has committed  
against the English during his Attachment to the  
French Interest, but that he is now extremely  
sorry for it, humbly begs forgiveness of the Great  
King, the Governor and the Beloved Man. He presents  
a White King as a pledge of his Fidelity and desires  
that the Governor may acquaint the King that  
he is determined to be ever his most faithful friend  
He sends a string of White Beads at the request of  
the Great Men of the Nation, signifying that it  
is their desire that the Great Path between Au-  
gusta and the Nation may be kept white and  
clean, and that they may be supplied with goods  
by



by that Path as they want to know no other  
It is his particular desire that the White Beads be  
sent to the Governor of South Carolina, and the  
White King to the Governor of Georgia.

And that this was the general sentiment of the  
Nation is confirmed by Letters from a Gentleman  
of Character then among them. By which your  
Lordships will see of what consequence to them is  
the opening or prohibiting their Trade.

There is the more reason to give credit to the  
Mortaz's declaration, as the French are now removed  
out of his reach, and I have the pleasure from this  
and other late Intelligences from that Nation, to hope  
that, all the apprehensions of an Indian War break-  
ing out on the Southern Parts may be now con-  
sidered as at an end.

As the Trade is so powerful a Tie of their  
affections to the English, the method of carrying  
it on with justice and sobriety on the part of  
the English Traders is worthy Consideration. I  
take the liberty of observing to your Lordships that  
in the Bond given by the Persons to whom Licences  
are granted by the Governor to trade with the  
Indians in pursuance of His Majesty's Royal  
Proclamation

Proclamation, I have not presumed to insert any Condition for their regulation but what is mentioned in the said Proclamation, which is to observe such as His Majesty shall think fit, by himself or by his Commissioners, to be appointed for that purpose, to direct and appoint for the benefit of the Trade, it is with the greatest deference that I beg leave to represent to your Lordships that some disorders may happen for want of such Orders and Regulations, as the Trade is generally carried on, at least the most servile parts of it, by men who can scarce live by any other means or can conform to the order of civil Society.

I shall now lay before your Lordships an Account of the Acts of Assembly past this Session. The first is for keeping clean and in good order and repair the streets of Charlestown, and for establishing other Regulations relating chiefly to the Drains, Foot paths, the buildings, the orderly driving Coaches, Chaires and Carts, Portage and the like. The second allows £200 sterling each to two Assistant Ministers to the Rectors of St Philip's & St Michael in Charles Town, and provides for the annual repairs of the Church.

The

The third enables the Churchwarden and Vestry of St Andrew to dispose of the Pew in the said Church, which having been burnt, was rebuilt by subscription, and this Act gives preference according to the rate of subscription.

The fourth is for building a Church on the new globe Land in St Paul's Parish, this became necessary as by extending the Settlements far Westward, the old church was very remote from the greatest number of Parishioners.

Fifth an Act for laying an additional duty upon all Negroes hereafter to be imported into this Province, to be paid by the first Purchaser, this Act is not to operate until the 1<sup>st</sup> January 1766 the duty imposed is £ 100 Currency equal to £ 40. 6. 0 Sterling. The time of continuance three years And there were One or Two private Acts.

Your Lordships will doubtless observe that there is no Tax Act among them after two years intermission. But my Lords I must intrust your Patience while I represent to your Lordships the reason thereof. The Assembly having omitted to make the usual Provision for the better supporting the Governor, and the Council having



having in vain desired the Assembly to insert  
 it, they rejected the Tax Bill, which I presume  
 by an inclination to pay a due regard to the  
 Spirit of His Majesty's 15<sup>th</sup> Instruction to Governor  
 Boone. I therefore prorogued the General Assem-  
 bly for only three weeks to the 15<sup>th</sup> instant, by  
 which time the Members after a long sitting  
 in hot weather will receive some relief from a  
 recess the short and the Public Creditors I hope  
 but a small delay, as I am willing to believe  
 that the Tax Bill will pass from the concession  
 of one of the Branches of Legislature to the other.  
 I have the Honour to be with the greatest respect

My Lords

Your Lordships

Most obedient and

Most humble servant

J<sup>ms</sup> Bull

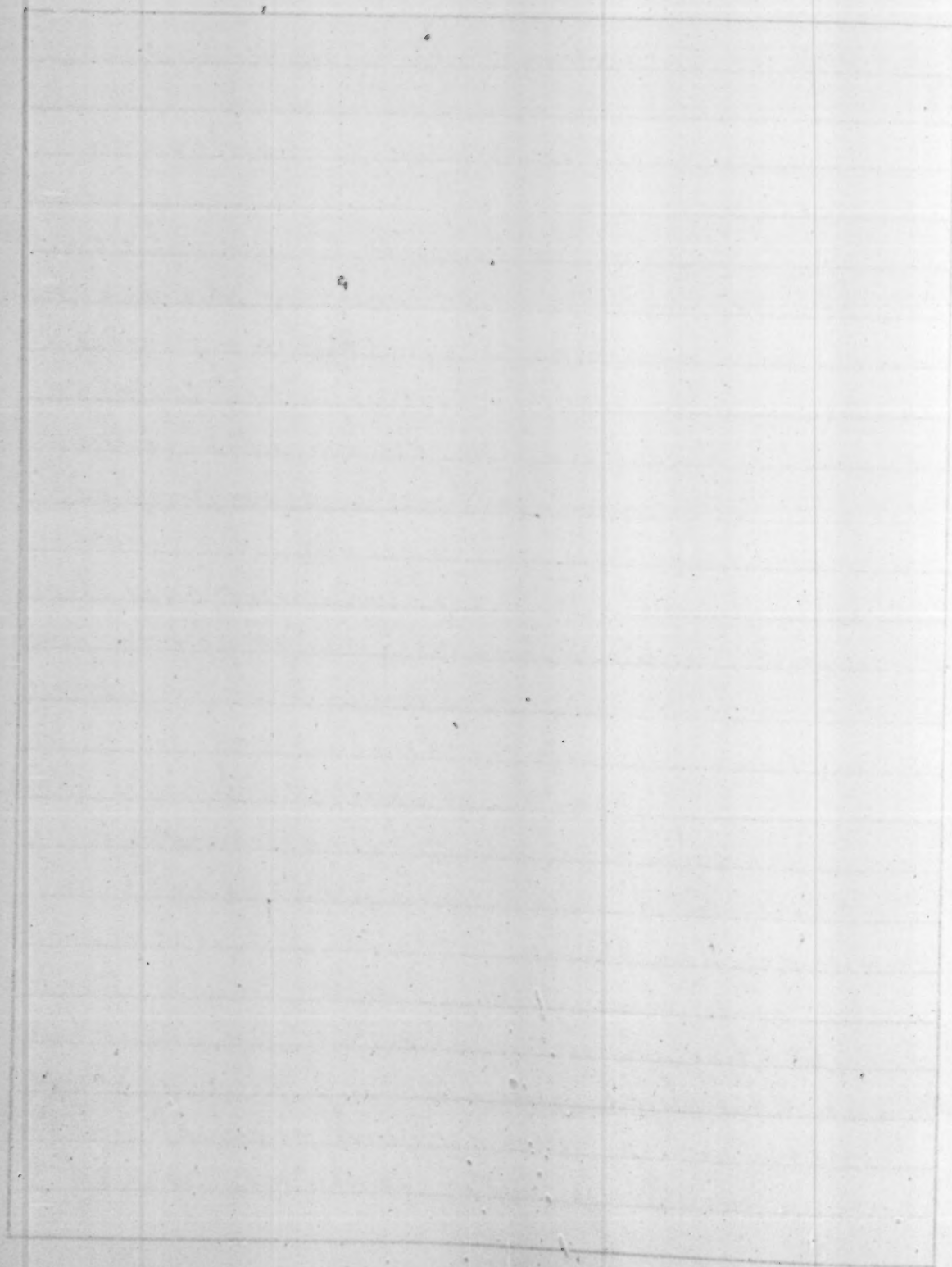
To  
 The Right Hon<sup>ble</sup> the  
 Lord's Commissioners for  
 Trade & Plantations  
 at Whitehall.

N. 2.

Received Nov<sup>r</sup> 16<sup>th</sup>

Recd Dec<sup>r</sup> 17<sup>th</sup>

} 1764



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B P R C South Carolina. B V Vol. 21 N 3

Charles Town 8<sup>th</sup> October 1764

My Lords,

I have the Honour to acquaint your Lordships that the Commissioners for running the Temporary Line of Jurisdiction between N<sup>c</sup> and South Carolina in obedience to His Majesty's commands finished that work the 28<sup>th</sup> of last month. They acquaint me that the Line did not strike the Eastern Bounds of the Catawba Lands, but ran a little to the Southward of that Line, and that the Line of Jurisdiction if continued will strike their South-West Boundary. They have therefore stopt at a road running thro' the Catawba Lands to a Town called Salisbury in North Carolina. The Commissioners have now separated, but I shall give one of them who lives near the Catawbas orders to carry on the Line till it strikes the Catawbas South-West Boundaries which is but a very few Miles that your Lordships may have a particular view thereof. As they have suffered so much fatigue during their work, with the Rain, the hot weather



weather and the insects, they beg leave to take some rest, and propose to be in Town towards the end of this month with the Report of their Proceedings at large, which I shall do myself the honour of transmitting to your Lordships as soon as I receive it.

Since I had the honour of writing to your Lordships I have given my Assent to a Law which provides for the Public Debt of the two past years amounting to the sum of £254,932 - equal in value to £36,418 sterling and I have now given orders to the Treasurer to call upon all Public Creditors to bring in their Accounts for the Current Year which will be provided for in the usual course when the General Assembly meet next January, to proceed on the ordinary Business of the year.

I have also given my Assent to an Ordinance for repealing so much of a late Act for taking the Churches Trade into the Hands of the Public, as relates to the carrying on the Trade under Provincial Regulations and Restraints, that there may not remain the least appearance of anything which may seem inconsistent with the King's Intention.

Intention of laying open the Trade to the Indians in the most extensive manner

As very large Emissions of Paper Bills of Credit and Tax Certificates were issued during the late Cherokee War and some previous thereto in order to contribute towards the Defence of the Majesty's Rights in America, I think it my duty to acquaint your Lordships that pursuant to the Directions of the Acts by which they were emitted the Sum of £393,920. equal to £5,627<sup>1</sup>/<sub>4</sub> sterling of such orders and Certificates have been burnt to ashes in the Treasury in presence of a Committee of Council and Assembly as reported on the 24<sup>th</sup> August last

I am also to acquaint your Lordships that I have taken the oath for the due observance of the several Acts relating to Trade and Navigation as enjoined by the American Duty Act passed last Session of Parliament And that James Moultrie Esq. who had been appointed Attorney General for this Province during the absence of David Lyraeme Esq. having resigned on his being appointed Chief Justice of East Florida, I have appointed John Rutledge Esq. Attorney General during the absence of David Lyraeme Esq.

I have the Honour to be with the greatest respect  
My Lords

Your Lordships

Most obedient and

Most humble servant

Wm Bull

To the Right Honourable  
The Lords Commissioners  
for Trade & Plantations.  
Whitehall.

N. 3.

Received Dec.

Read Dec. 17<sup>th</sup> } 1764.



13 P<sup>r</sup> M<sup>r</sup> C. South Carolina 13<sup>th</sup> Feb. 1764

Charlestown October 18. 1764

My Lords,

Last night I received a letter dated the 15 of August from M<sup>r</sup> Pownal your Lordships Secretary inclosing the copy of a Memorial from M<sup>r</sup> Greg submitting to your Lordships consideration the balance of an Account due to Ferrand, Greg and Poang Merchants for sundry Provisions supplied to the French Protestants who arrived here last Spring, in which M<sup>r</sup> Pownal has signified your Lordships desire that I should recommend to the Assembly the making Provision for the said Balance.

I have the satisfaction to acquaint your Lordships that in the Tax Act to which I gave my Assent the beginning of this Month, Provision is made for that Balance; and upon speaking with M<sup>r</sup> Poang upon that matter, he informed me that he had transmitted to M<sup>r</sup> Greg in London an Account of the Balance due at a time when he had no expectation that the Assembly would do any business, but that he had lately  
wrote

wrote to Mr Greg that the Balance due to them  
was provided for by the Assembly.

I did myself the honor of writing a few days  
ago to your Lordships and as nothing new has  
occurred since worthy your Lordships notice, I  
have nothing to add but that I have the honor  
to be with the greatest respect

My Lord

Your Lordships

Most obedient and

Most humble Servant

Wm Bull

To the  
Right Honourable  
the Lords Commissioners  
for Trade & Plantations  
at Whitehall

Wm.  
Received Dec<sup>r</sup>  
Read Dec<sup>r</sup> 17<sup>th</sup> } 1764.

B P R O. South Carolina B V. Oct. 21. 1769

Charles Town October 22<sup>d</sup> 1769

My Lords,

A few days ago I had the honor of acquainting your Lordships with M<sup>r</sup> Peaug's informing me that the balance due to Messrs Terrans Greg and Peaug on account of the French Protestants was satisfied in the last Tax Act. I received a letter from Messrs Terrans Greg and Peaug residents of Charles Town acquainting me that at the time of M<sup>r</sup> Peaug's conversation with me he had not fully comprehended the extent of M<sup>r</sup> Greg's letter which he had received from London at the same time M<sup>r</sup> Pownall's letter by your Lordships direction came to my hand, for that the Article in the Tax Act includes only part of that balance, and that the rest of the sum provided in the Tax Act for Messrs Terrans Greg and Peaug is for other services.

I humbly intreat your Lordships will pardon this trouble of an explanation which would not have become necessary but from the rule which I lay down to myself of always giving to your Lordships



Lordships the most early answers upon any matters  
 which it is my duty to transmit, and what in  
 this case I thought myself fully informed and  
 authorized to do. I have nothing further to add  
 but that I shall as soon as the Assembly meet in  
 January next, according to your Lordships desire,  
 recommend it to the Assembly to make provision  
 for the balance as stated by Mr Greg's account  
 and which may be explained by his Copartners re-  
 siding in this Province.

I have the honor to be with the greatest respect

My Lords

Your Lordships

Most Obedient and

Most humble servant

Wm Bull

To the  
 Right Honourable the  
 Lords Commissioners for  
 Trade & Plantations at  
 Whitehall

N. 19.

Received Sept<sup>r</sup> 26<sup>th</sup> 1765.

Read January 17<sup>th</sup> 1766.

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B. P. N. O. America & West Indies. Vol. 223.

Charles Town 14<sup>th</sup> Nov<sup>r</sup> 1764.

My Lord,

In obedience to His Majesty's Com-  
mands I have the honour to transmit to your  
Lordship a List of all Instruments made use of  
in Public Transactions, Law Proceedings, Grants,  
Conveyances, Securities of Land or Money within  
this Province with concise explanations of those  
Articles which being peculiar to this Province  
cannot be generally understood so well as  
those which are of common use in England.

I beg leave to observe to your Lordship  
that several Articles which are subject to the  
Stamp Duty in England are omitted here as not  
being included in your Lordship's description  
such as Gazettes, Advertisements, Cards & Quere.

In order that this List might be  
prepared with the greater dispatch as well as  
exactness I availed myself of the Assistance of  
M<sup>r</sup> Rutledge His Majesty's Attorney General  
for this Province whom I appointed to that  
Office during the absence of M<sup>r</sup> Lyane now  
in

in England, I have with great care and attention,  
revised the List and I am willing to hope that  
nothing material is omitted

I have the Honour to be with the greatest respect

My Lord

Your Lordships

Most Obedient &

Most Humble Servant

Wm Bull

To

The Right Honble

Dunk Earl of Halifax

One of His Majesty's

Principal Secretaries of State &c &c

Received 16<sup>th</sup> Jan<sup>y</sup> 1765.



B. P. R. O. America & West Indies. Vol. 223.

Enclosed in Lieut Geo<sup>s</sup> Bull's Letter of the  
14<sup>th</sup> November 1764.

List of all Instruments made use of in  
Public Transactions, Law Proceedings, Grants,  
Conveyances and Securities of Land and Money  
in the Province of South Carolina.

Admissions	Of Attornies in the Court of Common Pleas into incorporated Societies of Notaries of Proctors in the Courts of Ordinary and Admiralty of Solicitors in Chancery
Affidavits Answers	in the Courts of Ordinary, Admiralty and Equity
Appeals	From the Court of Ordinary Admiralty and Common Pleas.
Awards Bail Pieces	in the Court of Common Pleas.
	Bills

Bills.

in Chancery  
of Health from the Collector of the  
Customs for Vessels going to  
Foreign Markets.  
of Lading  
Sale

Bonds

of Births.  
for cancelling Bonds at the Custom  
House

Certificates

for Bounty on Hemp, Indico &c.  
for Drawbacks  
of Marriage

Charges

Charter Parties

Citations

from the Register in Chancery  
Filed with the Master in Chancery.

from the Court of Ordinary and  
Admiralty.

Clearances

of Vessels being the Governors permit  
to depart the Province.

Commissions

from the Courts of Chancery, Ordinary  
and Admiralty from the Governor  
for Places of Profit.

Declarations	In the Court of Common Pleas
Decrees	in the Courts of Chancery Ordinary and Admiralty
Deeds	
Demurrers	in the Courts of Chancery and Common Pleas
Deputations	of Officers
Depositions	in the Courts of Chancery Ordinary and Admiralty
Discharges	Filed with the Master in Chancery
Dismissions	of Bills in Equity
Exceptions	in the Courts of Chancery Ordinary and Admiralty
Exemplifications	of Records & Proceedings in the Courts of Chancery Common Pleas Ordinary and Admiralty
Grants of Land	
Indentures	
Instructions	From Judge of Admiralty with Letters of Marque
Interrogatories	in Courts of Chancery Ordinary and Admiralty
Joinders	In Demurrer in Courts of Chancery & Common Pleas of Issues in the Courts of Common Pleas



Judgments	Therein
Leases	
Letters	of Administration of Attorney of Guardianship of Marque of Procuration Testamentary
Libels	in the Courts of Ordinary & Admiralty From the Governor to export Rice to the Southward of this Province and Georgia.
Licences	From the Public Treasurer for retailing Spirituous Liquors.
Marriage Licences	
Mentions	From the Courts of Ordinary & Admiralty
Notarial Acts	
Orders	of the Courts of Chancery Common Pleas Ordinary and Admiralty
Pardons	
Pleas	in the Courts of Chancery Common Pleas Ordinary & Admiralty
Policies	of Insurance
Postes	in the Court of Common Pleas
	Precepts

Precepts	From the Surveyor General to his Deputies to survey Lands of Wills
Probates	
Protections	
Protests	
Recognizances	in the Courts of Chancery Ordinary and Admiralty
Rejoinders	in Courts of Chancery Common Pleas Ordinary and Admiralty
Releases	of Land in Fee & by way of Mortgage of Dower
Renunciations	
Replications	in Courts of Chancery Common Pleas Ordinary & Admiralty
Reports	of the Master in Chancery
Reprises	
Rules	in the Courts of Chancery Common Pleas Ordinary & Admiralty
Testimonials	
Tickets or Licences	from the Governor to Persons capable of contracting debts to depart the Province.
Warrants	From the Gov <sup>r</sup> for surveying Land of Attornies & Solicitors of the Court of Admiralty

From

Warrants

From the Governor to the Judge of  
the Admiralty to grant Letters of  
Marque

Writs

of appraisement from the Court of Admiralty  
of Attachment - Capias - Certiorari -  
Devinus - Potestatem - Execution of  
Decrees - Error - Fieri Facias -  
Habeas Corpus - Habere Facias -  
Possessionem - Injunction - Inquiry -  
Liberate - Re Enat Provincia -  
Partition - Provento - Prohibition -  
Restitution - Seire Facias - Seque-  
stration - Subpoena - Supervideas -  
Tenere Facias -

South Carolina

November 17<sup>th</sup> 1764.

Wm Bull.



B. P. R. O. America & West Indies. Vol. 223.

Charles Town, Nov<sup>r</sup> 28<sup>th</sup> 1764.

My Lord,

In obedience to your Lordships  
Commands of the 11<sup>th</sup> August last I have em-  
ployed my utmost Attention to procure Infor-  
mation from the Officers concerned in collecting  
His Majesty's Customs, and the Provincial Duties  
as well as from Merchants of the most established  
Character for fair Trading, what illicit Trade  
hath been carried on in this Province, and I  
have the satisfaction to acquaint your Lordship  
that there have been few suspicious, and fewer  
Instances of Persons having carried on such  
Trade here.

The manner in which it was some  
years ago carried on, tho' in a very small extent,  
was the Vessels going into some Navigable Inlet  
where there were no Custom House Officers, and  
the illicit Goods from thence brought by night  
in small Pothaugues within Land to Charleston.

French Rum and Melasses were the  
Commodities so introduced. There is in truth  
little

little Temptation to run the classes as we have no Distilleries here.

About four years ago by the vigilance of the Custom House Officers a parcel of French Rum and Sugar were seized and upon Intelligence that the same Trade was to be continued at North Edisto a temporary Deputation of Custom Officers was made to some Planters residing near that Inlet. By this seizure and these precautions, that Trade has, as far as I can learn, been so much discouraged, as not to have been attempted since, at least at that Inlet. Almost a year ago there was a suspicion of a Vessel having such an illicit Intention. She was an English Vessel, arrived from France, and lay some days in Rebellion Road within this Bar, and having but little Ballast was believed to have brought some Cargo, but the Custom House Officers assisted by the Men of War Barges notwithstanding their utmost diligence & secrecy in searching boats and creeks near her could discover nothing. She was chartered, and loaded accordingly afterwards at George Town Winapo. I have never heard of any Vessel being sent

sent from this Province to, or coming contrary to the Acts of Navigation, from Europe hither whatever may have been done elsewhere, although such practices after the fear of prosecution is over, very probably would have transferred

It is possible some illicit Trade may be carried on here, but in a very inconsiderable degree, and as the Indolence or small number of Custom House Officers may tempt some to venture on this illicit Trade, I humbly apprehend the means by which it may be still more effectually prevented is the Surveyor and Comptroller complying with His Instructions in keeping a watch and frequently inspecting the several Ports in his Department and visiting unexpectedly the Coast and Inlets, and by increasing the number of Searchers, especially in Charles Town where the number of ships in the busy time of carrying off the Crop during the Winter months is very considerable and by much too many for two Searchers which is the only established Number here.

With regard to the conduct of the Officers employed in His Majesty's Customs I have the honour to acquaint your Lordship that His Majesty



Majesty has a most faithful diligent & knowing  
 Officer in Mr Beaupain who has been 23 years  
 Collector for Charles Town, his age and infirm  
 state of health, will I fear, soon oblige him to re-  
 sign; which I am certain no consideration, but  
 zeal for the King's service and the good of our  
 Commerce has prevailed on him to continue the  
 present year. He will never be exceeded by any  
 in a punctual Execution of the Navigation Acts,  
 with strictest justice to His Majesty and every  
 Indulgence to the fair Trader consistent therewith.

Your Lordship will please to pardon my  
 speaking so particularly of him, but his various  
 virtues and venerable excellencies made it but  
 justice in me to represent to your Lordship  
 the faithful and disinterested Services of that  
 Officer.

Mr Randall the Surveyor & Comptroller  
 for this Province and the Bahamas appears  
 every day very busy in the Custom House in  
 Charles Town, where the exactness of the present  
 Collector renders his daily attendance less neces-  
 sary, and I am humbly of Opinion that his  
 time would be more usefully employed for

His

His Majesty's service if he, as Surveyor, were more frequently to inspect the Officers of the several Ports in his Department, and to make unexpected cruises on the Coast, and visit the Isles according to his Instructions.

I have heard of no neglect or commission charged on the Collectors of the Out Ports of Long Town Winyard or Beaufort Port Royal which might invite bold Men to undertake an illicit Trade, or of the Searchers. I must observe to your Lordship that the Land Waiters, Tide Waiters and other subordinate Officers of the Customs are unknown here or at most only occasionally.

I shall not fail to acquaint your Lordship whenever I receive Information of any illicit Trade, and in obedience to your Lordship's commands when I receive none, I shall from time to time do myself the Honour of acquainting your Lordship that I have received none, without trespassing too much on those moments of your Lordship's time which are so valuable for the service of His Majesty and the Welfare of the Kingdom.

I have the Honour to be with  
the

the greatest respect  
 My Lord  
 Your Lordship's  
 Most Obedient &  
 Most Humble Servant  
 Wm Bull

To  
 The Right Honble  
 Duke Earl of Halifax  
 one of His Majesty's Principal  
 Secretaries of State  
 St James's.

Received 30<sup>th</sup> January 1765.



B. P. N. O. America & West Indies Vol. 223

Charles Town, Dec<sup>r</sup> 1<sup>st</sup> 1764

My Lord,

I am honoured with His Majesty's Command<sup>r</sup> signified to me by your Lordship's Letter of the 14<sup>th</sup> July. inclosing the copy of a Letter from His Excellency Prince Masseran the Spanish Ambassador complaining of several outrages committed on the Subjects of His Catholic Majesty by some English Pirates or Privateers in the West Indies. And I am now to acquaint your Lordship that I have made the most diligent inquiry concerning Vessels coming from those Parts and have not been able to discover any of the Persons who have been guilty of such Acts of Piracy, and I beg leave to assure your Lordship that whenever I shall make such discovery, I shall use my utmost endeavour to bring them to justice and shall immediately transmit to your Lordship an account of my proceedings therein.

I have the Honour to be with the greatest respect

My

My Lord  
 Your Lordship's  
 Most Obedient &  
 Most Humble Servant  
 Wm Bull.

To  
 The Right Hon<sup>ble</sup>  
 Duke Earl of Halifax  
 one of His Majesty's Principal  
 Secretaries of State.  
 St James's.

Received 30<sup>th</sup> January 1765.

13 P 12 O. South Carolina 13 S. Feb 21. N 20.

Charles Town 8<sup>th</sup> December 1768.

My Lords,

By the Hillsborough Packet two days ago I had the Honour to receive His Majesty's additional Instructions dated the 6<sup>th</sup> June last to prevent the taking of exorbitant Fees and your Lordships letter of the 11<sup>th</sup> May with a Copy of an Address of the House of Commons to His Majesty concerning Paper Currency and one of the same date with printed Copies of Seven Laws past last Session for the benefit of His Majesty's Subjects in America, also of the 10<sup>th</sup> July with a Copy of your Lordships Plan for the future management of Indian Affairs with Copies of your Lordships letters to Sir William Johnson Bart and John Stuart Esq the Majesty's Superintendants for Indian Affairs in America and of the 13<sup>th</sup> July directing me to transmit to your Lordships an abstract of the Grants of Lands in this Province. I all which I shall endeavour to give your Lordships the fullest Answers which their Importance and the



the shortness of the time which the Packet will stay here will permit me in hopes that such matters as are required for the Inspection of the Parliament may arrive in time.

I most humbly beg pardon of your Lordships for taking the liberty to represent that the circuitous Route which the Packet for the Southern District takes in bringing to me His Majesty's Commands or your Lordships Directions upon such matters as require an immediate Execution or Answer may subject me to an imputation of delay unless your Lordships should please to think proper that Duplicates of such should be sent by Merchantmen which sail almost every month from London or Bristol to this Province.

By this Packet I shall also send to your Lordships the Survey of the Boundary Line between this and the Province of North Carolina and a Map which I have lately made of this Province from the latest and best Informations that your Lordships may have a particular view of the extent and Settlements thereof.

I have the Honour to be with the greatest Respect, My Lords, your Lordships,

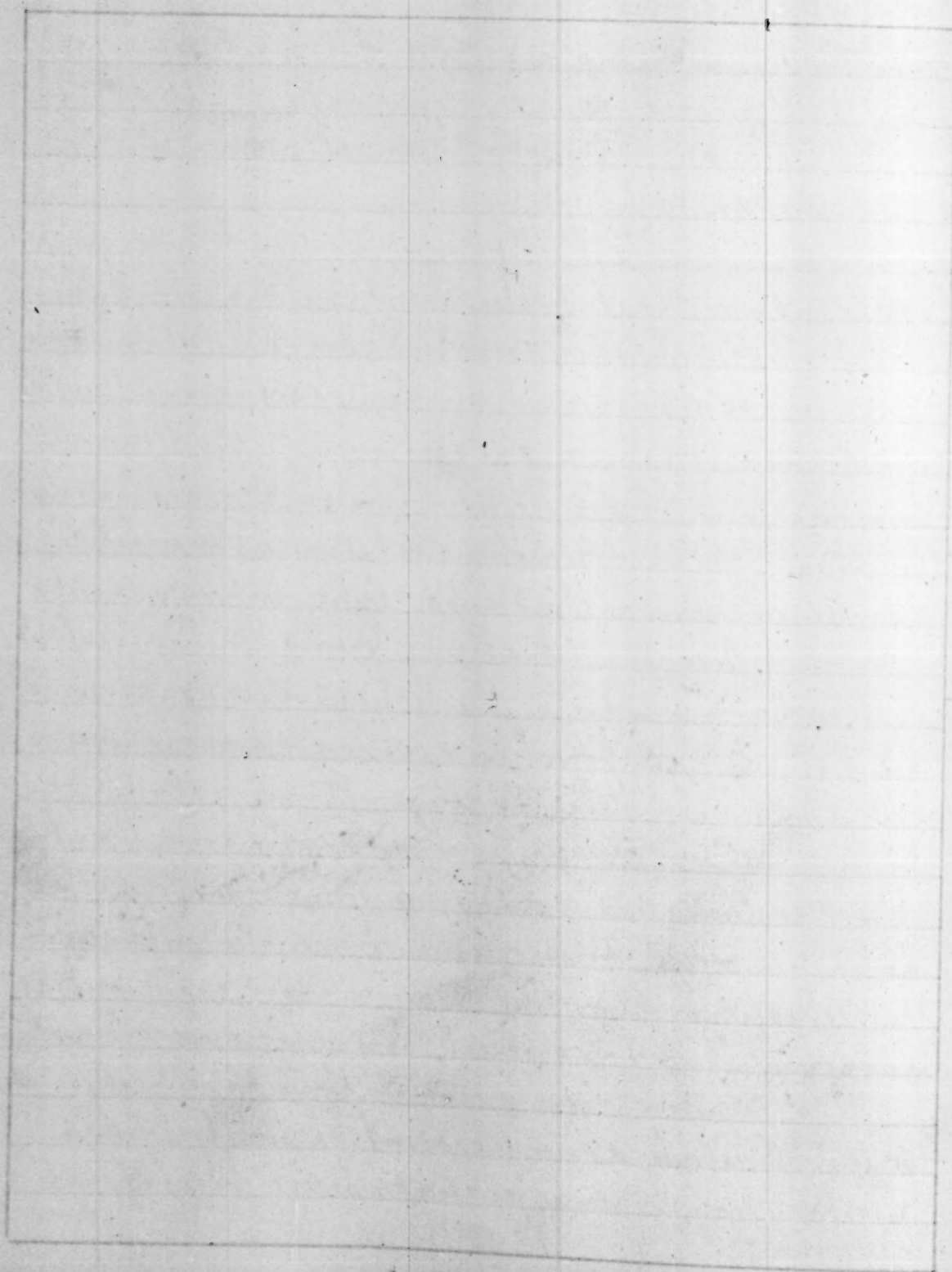
most

most obedient and  
most humble servant  
Wm Bull

To  
The Right Honble  
The Lords Commissioners  
for Trade & Plantations  
at Whitehall.

N. 20.

Received Jan<sup>y</sup> 21 } 1765  
Paid June 27 } 1766.





B. P. H. O. South Carolina B. S. Vol. 21 N. 21

Charles Town 10<sup>th</sup> <sup>December</sup> 1764

My Lords,

I have the Honour to lay before your Lordships a copy of the Temporary Line of Jurisdiction which was run and marked by the Commissioners appointed by the Governors of North and South Carolina in obedience to His Majesty's Instructions at an expense of near £400 sterling to this Province. As the West Line falls a little South of the East Bounds of the Catawba Lands I have taken the liberty to annex to the West End of the Line a copy of the actual Survey of their Lands made by direction of the Governors assembled at the Congress at Augusta in November 1763.

Soon after this Line was run, I published a Proclamation notifying the same to all persons in any way concerned in the exercise of Jurisdiction, that the Line is now run and requiring them to conduct themselves accordingly.

I must beg your Lordships indulgence while I relate some account of the Catawba Lands, tho' it may perhaps have heretofore been

been given some years ago on the Complaint of the  
 Catawbas that their Settlements and Stocks of  
 Horses and Cattle were disturbed by encroachments  
 of Surveyors and Settlers from both Provinces;  
 this Government issued an Order that no Deputy  
 Surveyor should go within 30 Miles of the Catawba  
 Towns. These Orders were duly observed by the Sur-  
 veyors of South Carolina because they knew their  
 Surveys would be void as no Grants would be  
 obtained thereupon; but the North Carolina Sur-  
 veyors could not be controlled, as the Line of  
 Jurisdiction was not ascertained. But in the  
 year 1760 the Catawbas having been harassed  
 by the Cherokees and the Northward Indians and  
 by the great ravages which the Small Pox made  
 among them reduced to only 75 Men they were  
 desirous of removing lower and nearer our Set-  
 tlements. At a Conference which Mr Atkin His  
 Majesty's Superintendant for Indian Affairs had  
 with their Nation in their Town, it was agreed  
 that if this Province would build a Fort to cover  
 their Women and Children from the Enemy they  
 would be satisfied with an extent of 15 Miles  
 square which they judged sufficient for their  
 wants

wants of their Number. Upon this Information from Mr Atkins I prevailed on the Assembly to build a Fort, and one was built in 1760 and their whole Tribe were fed and clothed at the Expence of this Government during the whole Cherokee War. This Treaty was confirmed at the Congress of Governors at Augusta in 1763 and the 15 Mile Square actually run out.

I think it my Duty to acquaint your Lordships that the Confusion and Mischief which His Majesty most graciously intended to put an end to and prevent by the Temporary Line now established will most effectually obtain the salutary Ends proposed as far as the Line runs, but the same confusions and mischiefs will begin again where the Line ends. And as there are many Settlers living to the Northwestward of the Catawba Lands the Surveyors from North Carolina are already as I am informed very alert and have proceeded far Westward in running out Lands and expect much in hopes the Line lately run will be continued due West, by some future order from His Majesty.

I now humbly beg leave to represent to  
your



your Lordships that whatever Settlers there were living to the North West of the Catawba Lands have hitherto been considered as belonging to this Province. And as such they have been protected and maintained in all their private Forts at the Expense of this Province during the whole Cherokee War and enabled thereby to hold the possession of their Settlements on that Frontier all which I had the Honour of acquainting your Lordships with at that time, and, to cover them from Incursions then I established a Line of Patrols consisting of our Rangers from the Catawba River to Broad River, ninety Six across to the Saranna River. It may not be unnecessary also to observe to your Lordships that at the Treaty of Peace which I made with the Cherokees in 1761. a Boundary between the English and Indians was stipulated to be at 40 Miles on the Road to the Eastward of Fort Prince George where our Settlements must terminate on the West.

If your Lordships would please to indulge me the liberty of suggesting with the most humble deference a Boundary to be continued from the spot where the present Line ends, I should propose

me

one that would be attended with no expense in the  
 running. This might be done by ordering it to  
 run along the Salisbury Road till it intersects  
 the Creek on the Southern Bound and then con-  
 tinue along round the Eastern Bounds of the Ca-  
 tawba Lands till it strikes the East Banks of the  
 Catawba River and from thence up the Catawba  
 River to its source in or near the Cherokee Moun-  
 tains. The reason why I enclose the Catawba Lands  
 is because His Majesty seems by His Royal In-  
 struction relative to the Boundary to intend that  
 the Tribes who have been protected by any Province  
 by building a Fort should be under the influence  
 and care of that Province. And likewise as it is the  
 desire of the Catawbans. As I have led your Lordships  
 into the back Settlements permit me to inform  
 your Lordships that for the bringing these People  
 into some sort of Order and Government which  
 they seem generally at present not sufficiently ac-  
 quainted with, being chiefly from the back parts  
 of the back parts of the Northern Colonies, I have  
 formed a New Regiment of Militia between the  
 Broad River and the Saludy or Rudy River, and  
 also intend as soon as the German Emigrants  
 arrive

arrive to form another Regiment between the Saluda and Savannah River above the Townships of Saxegetta and New Windsor consisting of a much more orderly kind of People. In the former there are above 800 Men and I believe in the latter there will be above 400.

That your Lordships may have the more perfect knowledge of the extent and Settlements of this Province I have with some pains, from the best and latest Informations, made a new Map thereof, which I humbly submit to your Lordships view, not doubting that your Lordships will be better enabled in some small degree thereby to carry more effectually into Execution His Majesty's Royal and beneficent Intention of encouraging among others His flourishing Colony of South Carolina.

Confiding in your Lordships desire of receiving the fullest Information I have perhaps taken up too much of your Lordships time in this prolix account, but if it appears unnecessary my good intentions must plead for my Pardon from your Lordships.

I have the Honour to be  
with



with the greatest respect

My Lords

Your Lordships

Most Obedient &

Most humble Servant

Wm Bull

To

The Right Honble

The Lords Commissioners

for Trade & Plantations

Whitehall.

No. 21

Received

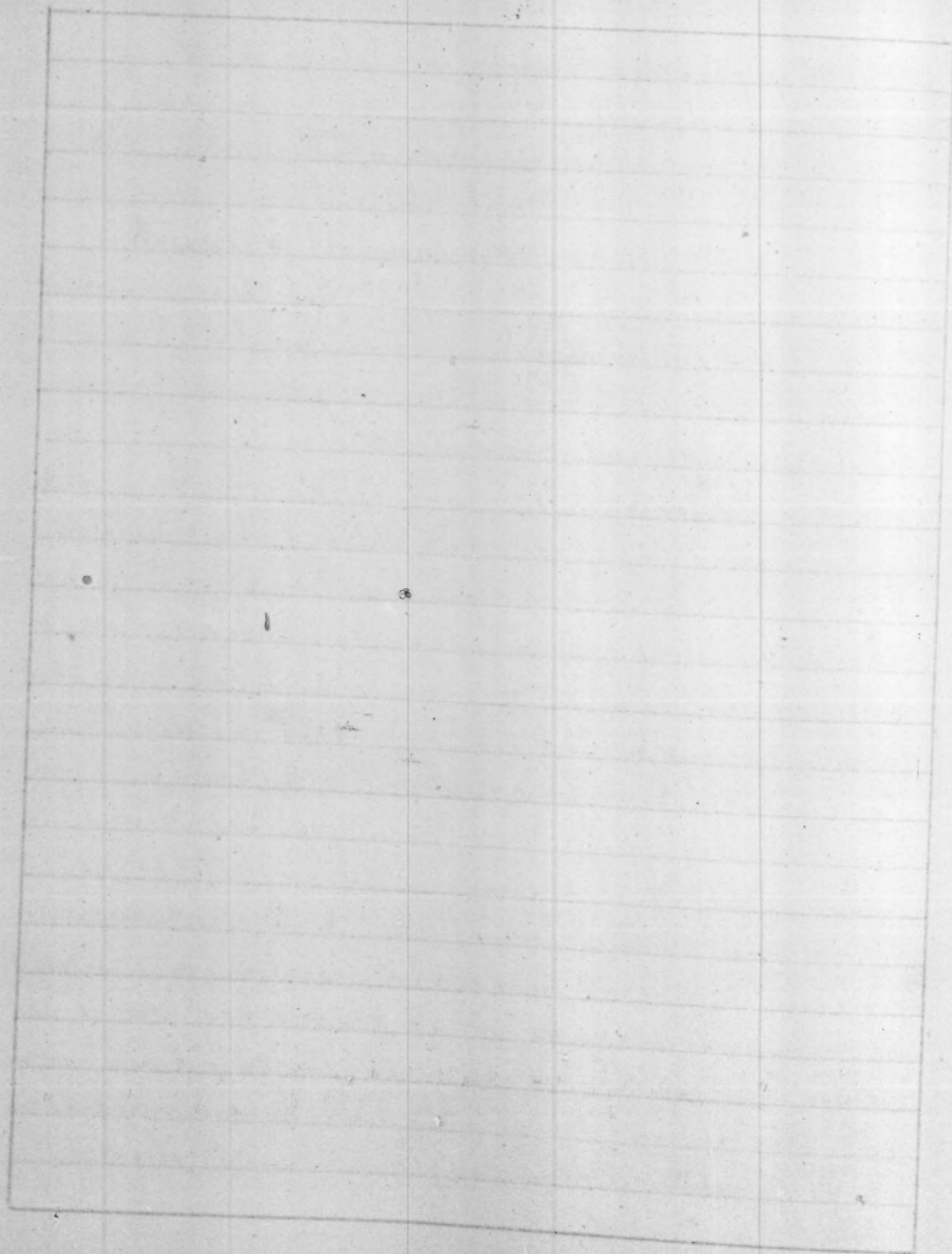
Sept<sup>r</sup> 11<sup>th</sup>

1765

Read

June 27<sup>th</sup>

1766



B. P. R. O. South Carolina. B. I. Vol. 21. N. 22.

Charles Town 21<sup>st</sup> December 1764.

My Lords,

I have in obedience to His Majesty's Instruction bearing date the 6<sup>th</sup> June 1764 published a Proclamation in His Majesty's Name forbidding the taking of essortant Fees. And altho' I had given orders 3 years ago to all Officers in this Province to cause Tables of their legal Fees to be hung up in the most conspicuous places of their Offices, I have now in obedience to His Majesty's Command ordered them to cause Tables of their legal Fees to be hung up in their Offices respectively, and also to return me a list thereof, which I have the honour to transmit to your Lordships.

As your Lordships will see some Fees taken by a Law passed in 1698 which is not in the printed Collection which I had the Honour of sending to your Lordships about 3 years ago, it will not perhaps be improper for me to acquaint your Lordships with one of the Provisions and the situation of it. That Law being passed in the infancy of this Colony the various articles of



of business in the different Offices had not found their course and consequently a Provision could not be made for such services as were hardly understood or known, and therefore a dangerous Power (which tho' tempting, has not been often exercised) was thereby given to Two Magistrates on the application of any Officer whose services were not provided for by the Law, to assess a Fee by a quantum meruit for such. By this Power the Collectors and Naval Officers Fees were settled in 1739 and some others taken. And this Law of 1698 having been ratified by the Lords Proprietors of this Province, continues of Force until its Repeal is effected by an equal Power, I mean, my Lords, by the final Approbation of His Majesty to any Act which repeals it.

Judge Brett, employed by the General Assembly, to collect and supervise the printing all our Laws, omitted printing this, as at that time a Fee Law was passed (tho' soon after repealed by the King) which repealed the Fee Act in 1698. And the Rule in Law which requires as much power to dissolve as to bind was not then adverted to. In the year 1743 a Fee Law  
was

was passed with a raring dance which repeats  
the Law 1698 and now lies before the Majesty for  
his approbation. But most Officers, considering  
this last Act (tho' not operating legally) as a  
reasonable Rate settled by the mature deliberation  
of the Legislature, conform thereto.

On some few occasions new Cases have  
been provided for according to His Majesty's  
Instruction to Governor Burne.

I am honoured with His Majesty's  
Order in Council relating to the German Protes-  
tants lately arrived here, and shall with the great-  
est alacrity pay a dutiful Obedience to His Majesty's  
most gracious Commands and Intention in regard  
to their happy Establishment in this Province.

The first Embarkation which arrived, were  
all sick, 20 died in the Passage and 20 more  
within 3 days after their landing. I had them  
lodged and taken care of in our Barracks, and  
I hope the mortality is now ceased. The second  
ship brought the Passengers all healthy.

The Soil is rich where the French  
Protestants are settled and I shall endeavour  
to lead their Industry to the Cultivation of Hemp  
and

and Silk as two branches of Manufacture of the most national concern to Great Britain, as well as beneficial to themselves. These Germans in order to be placed on rich Lands must go about 15 Miles to the Westward of the French. Tho' the distance is great, there is a very good communication with Charles Town by Waggon-Roads to them, as indeed to all the Settlements on the upper Parts of Saludy, Broad River, the Catawba and Pedee Rivers by which their Hemp, Flour, Butter and other produce are now brought down, and their wants, by the Return, conveniently supplied with such Goods as will suit their circumstances.

In obedience to your Lordships Commands I have given Directions to Mr Skelton, Secretary to His Majesty for this Province, to prepare an abstract of all the Grants that have been made in this Province, from the first Establishment thereof, in the specific manner pointed out by your Lordships, and to bring the same down to the 31<sup>st</sup> Instant in a Book, and to begin the half yearly abstract, the first day of January next, and as soon as it is finished I shall transmit the same to your Lordships.

The



The Attention which your Lordships so happily  
for us, are pleased to pay to whatever can promote  
the Prosperity of the British Colonies in America,  
encourage me to be the more particular in my  
Accounts to your Lordships, of what concerns the  
Province at present under my Government  
I have the Honour to be with the greatest respect

My Lords

Your Lordships

Most obedient &

Most humble Servant

W<sup>m</sup> Bull

To

The Right Honourable  
The Lords Commissioners  
for Trade & Plantations  
Whitehall.

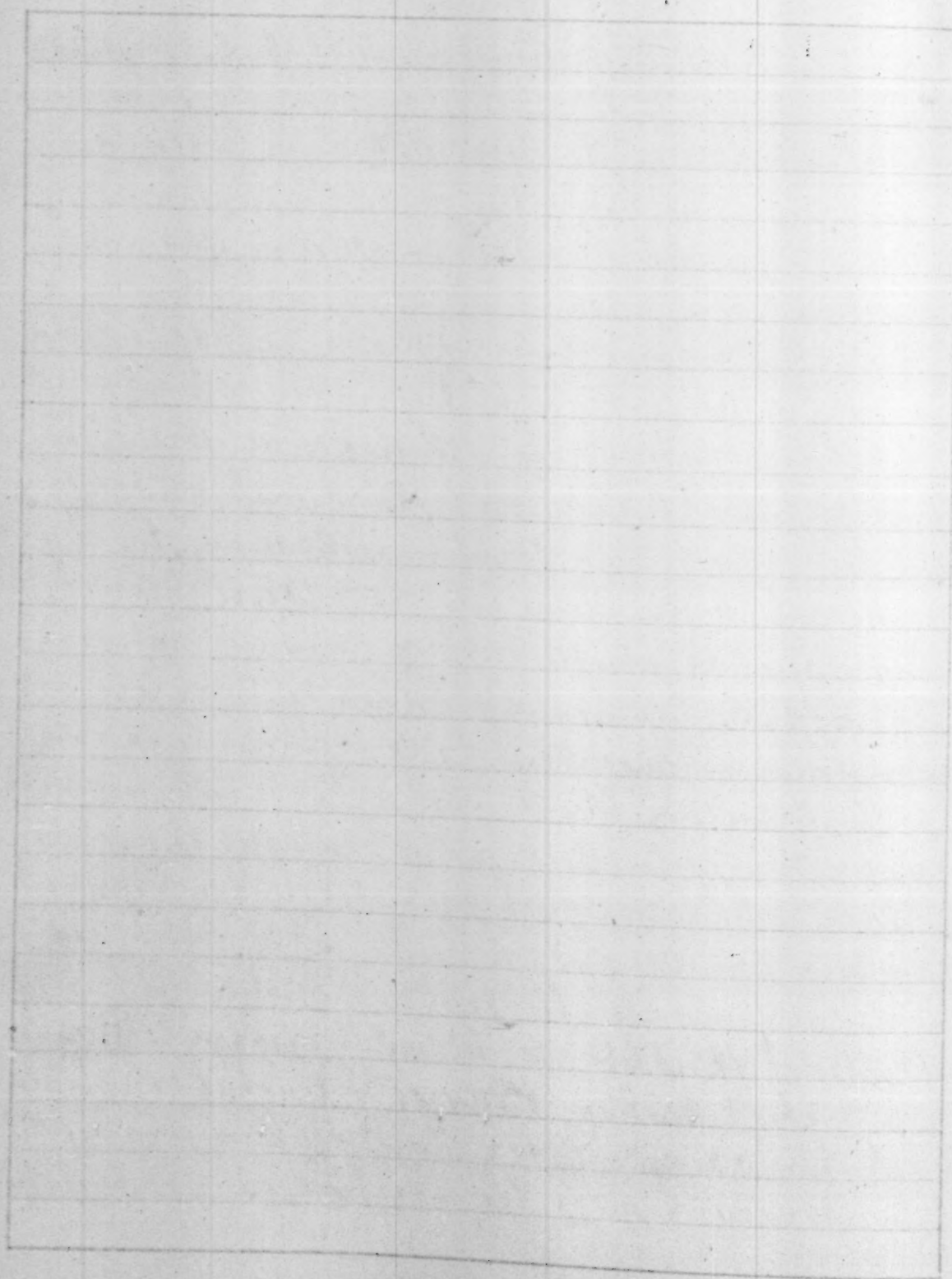
N. 22.

Received

Feb<sup>y</sup> 11<sup>th</sup> } 1765

Read

June 27<sup>th</sup> } 1766



B P R. O. South Carolina B. J. Vol. 29 page 231

To H<sup>m</sup> Bull Esq. S<sup>t</sup> Governor of S<sup>c</sup> Carolina

December 24<sup>th</sup> 1764

Sir,

We have received your Letters to Us of the 20<sup>th</sup> of August, 13<sup>th</sup> of September, and 8<sup>th</sup> & 18<sup>th</sup> of October last, and as nothing can more effectually tend to give permanency and stability to the present peaceable dispositions of the Indians and to fix them firmly in our Interest, than the Establishment of some general uniform plan for the regulation of their Commerce and the management of our political concerns with them, we shall wait with impatience for your Sentiments upon the draught of such a Plan, which we had prepared, and was included in our letter to you of the 10<sup>th</sup> of July last.

The dutifull zeal with which the Assembly have complied with His Majesty's Commands in respect to the Colony of French Protestants, and the providing for the Establishment of the temporary Line of Jurisdiction, cannot fail to meet



meet with His Majesty's approbation, and it is with great pleasure we observe their attention to the discharge of the publick debts, hoping that the Bill, which has been passed for this purpose, will, when it arrives, be found to be such as we can lay before His Majesty for confirmation, as also the Bill for restraining the too great Importation of Negroes, a measure which, as long as it is accompanied with a proper encouragement to the Importation of White People, does appear to us to be founded in reason and true policy.

The directions you gave for continuing the temporary line to the South West Boundary of the Catawba Nation were very proper, and we shall hope soon to receive the final Report of the Proceedings of the Commissioners.

It only remains for us to express our Satisfaction at the good Effects produced by the Act of Parliament for extending the liberty of a direct Importation of Rice from South Carolina, and to assure you we shall on our parts be happy in every opportunity of supporting any Measures, that may tend to promote the Trade  
and

and Welfare of that important Province, over  
which you preside.

So we bid you heartily farewell,  
and are,

Your loving Friends

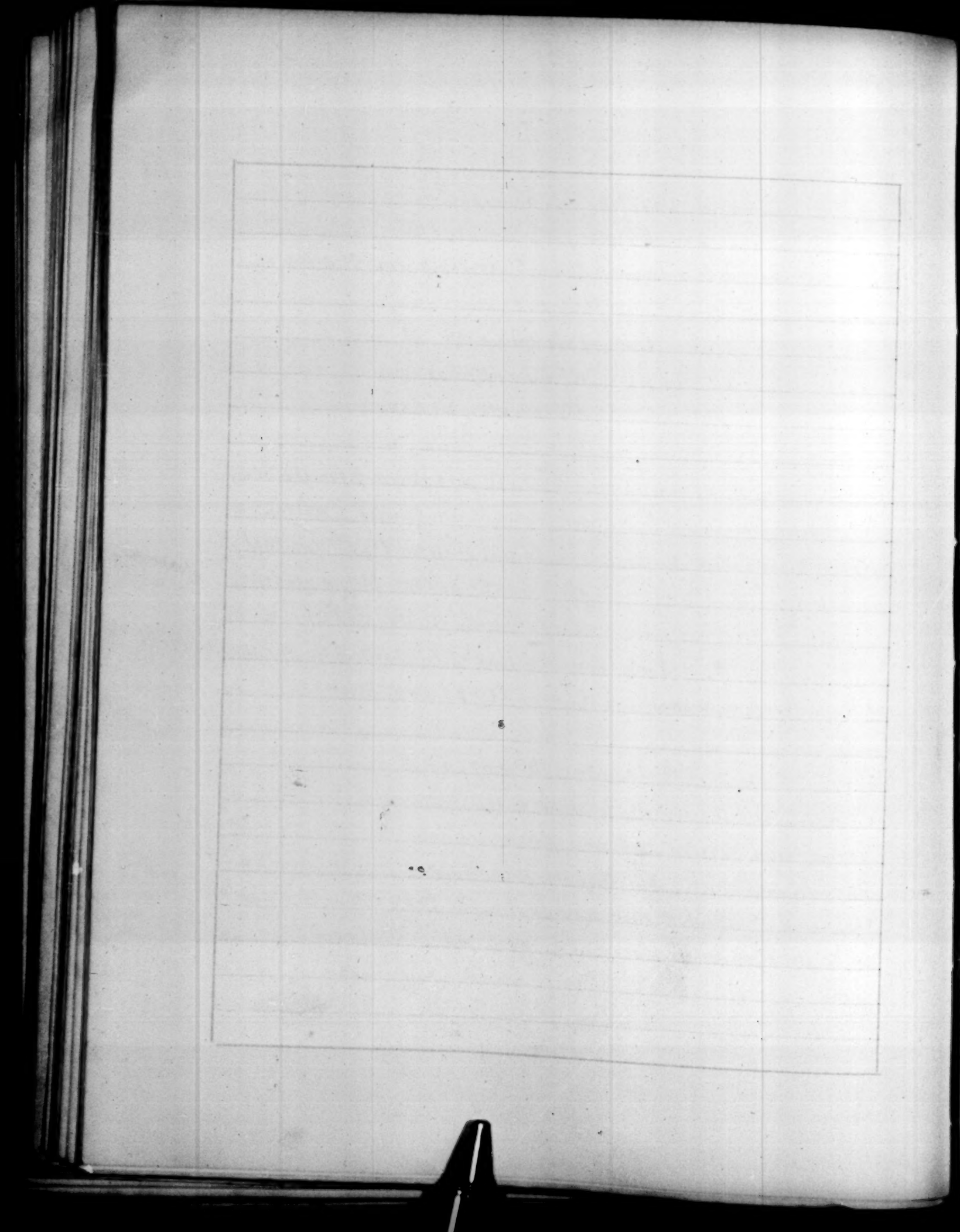
Wiltborough

Francis Fenner

Ed. Bacon

Walter Gascoyne

J. D. Green





1765

B P R O B I Journals Vol 73Thursday 31<sup>st</sup> January 1765

At a Meeting of His Majesty's Comm<sup>rs</sup> for Trade and Plantations  
Present

Earl of Hillsborough

M<sup>r</sup> Jenyns M<sup>r</sup> Rice M<sup>r</sup> Gascoyne

M<sup>r</sup> Bacon Lord Orville M<sup>r</sup> Dixon

.....  
East Florida, It appearing that letters lately received from the Gov<sup>r</sup> S<sup>c</sup> Carolina, informers of East Florida and South Carolina referred to certain plans and maps said to be transmitted by the two last packets from those parts, and the said maps and plans not being received, the secretary was ordered to write to the post office and to desire that the proper enquiry might be made of the masters of those packets concerning the said maps and plans  
.....

Wednesday 13<sup>th</sup> Febr<sup>y</sup> 1765

Ordered that the drafts of Letters to the Governors of South Carolina Georgia, East Florida, Bahama, Barbados, Leeward Islands and Grenada, signifying His Majesty's pleasure and commands in respect to Spanish vessels coming into the ports of those Govern<sup>ts</sup> in distress or for Refreshment, be prepared  
.....

(Thursday)

Thursday 14<sup>th</sup> February 1765

The Drafts of Letters to the Governors of South Carolina, Georgia East Florida, Bahama, Barbados, Leeward Islands and Grenada signifying His Majesty's commands in respect to Spanish Vessels coming into the Ports belonging to those Governments in distress or for Refreshment having been prepared pursuant to order were agreed to and ordered to be transcribed

Friday 15<sup>th</sup> Febr<sup>y</sup> 1765

S<sup>c</sup> Carolina The drafts of letters to the Governors of S<sup>c</sup> Carolina Georgia I<sup>ca</sup> and Georgia East Florida Bahama, Barbados, Leew<sup>d</sup> Islands and Grenada having been transcribed pursuant to order were signed

Tuesday 26<sup>th</sup> February 1765

S<sup>c</sup> Carolina M<sup>r</sup> Boone Governor of South Carolina attends and states some doubts and difficulties which had occurred upon the Construction of those articles of his Instructions which relate to Appeals, and M<sup>r</sup> Boone being withdrawn, their Lord<sup>ss</sup> agreed to take this matter into consideration at another opportunity

Tuesday 30<sup>th</sup> April 1765

S<sup>c</sup> Carolina Read a Memorial of several French Protestants stating their distress and petitioning the Board that they may  
(be)

be settled in the province of South Carolina Ordered that the said Memorial be taken into further consideration on Monday the 6<sup>th</sup> May and that the Memorialists be desired to attend

Monday 6<sup>th</sup> May 1765

South Carolina Their Lordships took into consideration the memorial of the French Protestants mentioned in the Minutes of the 30<sup>th</sup> April and several of them attending their Lordships informed them that their case would be taken into further consideration

Thursday 12<sup>th</sup> Sept<sup>r</sup> 1765

So Carolina } The drafts of letters to the Governors of N<sup>o</sup> and S<sup>o</sup>  
N<sup>o</sup> Carolina } Carolina containing directions in respect to the provision to be made for defraying the expence of the survey of the Catawba lands having been prepared pursuant to orders were approved, transcribed and signed

Thursday 10<sup>th</sup> October 1765

Virginia } Read a letter from Charles Scouder Esq Secretary to  
S<sup>o</sup> Carolina } the Treasury to the Secretary dated 26<sup>th</sup> Sept 1765 transmitting for the opinion of this Board Memorial of the Agents of Virginia and South Carolina for leave to import Salt from Foreign Ports. Ordered that the Memorial of the Agents for South Carolina and Virginia be taken into consideration as soon as the other pressing (business)



Business now before the Board will admit

.....  
 Tuesday 24<sup>th</sup> Dec<sup>r</sup> 1765

So Carolina Read a letter from the Right Hon<sup>ble</sup> M<sup>r</sup> Sec<sup>y</sup> Conway to the Board dated 21<sup>st</sup> Dec<sup>r</sup> 1765 notifying the appointment of Lord Charles Montagu to be Governor of South Carolina and directing drafts of a Commission and Instructions to be prepared for him

The Draft of a Commission, of General Instructions and of those for the Observance of the Acts of Parliament relating to the plantation Trade, having been prepared pursuant to the abovementioned letter were approved and ordered to be transcribed and a Representation to his Majesty thereupon was signed

.....

B. A. R. C. South Carolina. B. L. Vol 29. p. 234.  
(15<sup>th</sup> February. 1765)

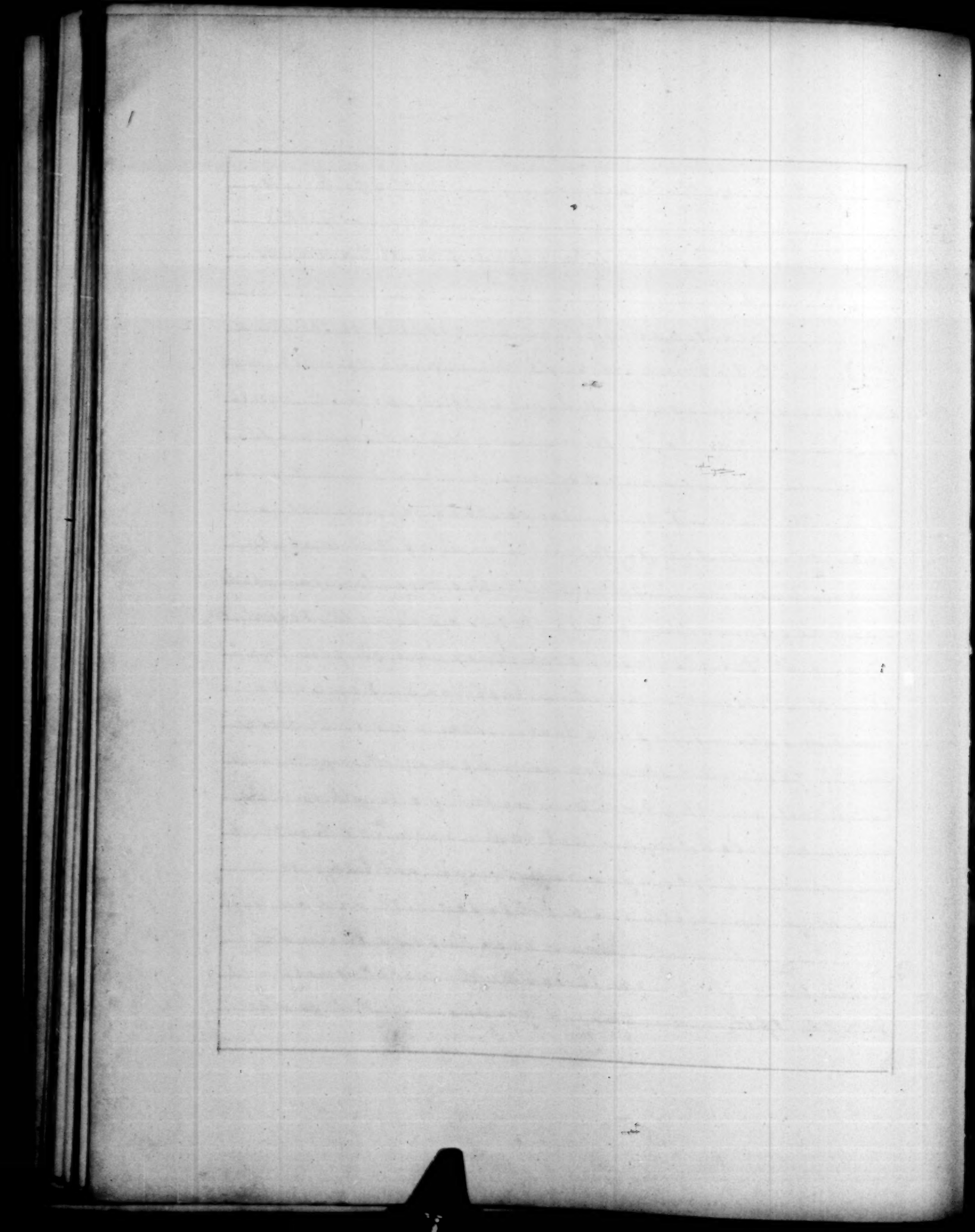
William Bull Esq: Lt. Governor of South Carolina  
Sir,

It having been represented to the King, that advice has been received from His Majesty's Colonies & Islands in America, that Spanish vessels have been ordered to be seized coming in for refreshment, in the manner they were always permitted to do in the Island of Jamaica, though not laden with Merchandize to the detriment of His Majesty's Dominions: We have received His Majesty's Commands by a letter from the Earl of Halifax one of His Majesty's Principal Secretaries of State, to acquaint you, that it is His Majesty's intention, that Spanish vessels coming into any of the Ports within your Government, through distress, or for refreshment, may receive the assistance they have been usually allowed in Jamaica; provided they are not laden with, or attempt in any manner to bring in any foreign goods or Merchandize. So we bid you heartily farewell, and are, Sir,

Your very loving Friends,

Whitehall  
Febr 15<sup>th</sup> 1765

Hillsborough      O. Swell  
Leamington      J. Dyson





Charles Town, 1<sup>st</sup> March 1765

My Lord,

Under cover from General Sage on the 16<sup>th</sup> of last January I had the honour of receiving a duplicate of your Lordship's letter of the 11. August relative to the Post Office, the original having never reached my hands.

At the opening of the session of General Assembly a few days before, I had recommended the continuation of the Post thro' this Province, but upon my communicating His Majesty's Pleasure signified to me by your Lordship, as at all the Rivers in this Province where Roads pass, there are Bridges, or Ferries where Houses are already built, the Assembly defer doing any thing therein until they can know wherein their assistance is necessary to contribute to the carrying into execution the plan now under consideration of His Majesty's Postmaster General.

In obedience to your Lordship's commands I herewith send a map of the Road most convenient for the Post, near the sea coast, on a large scale  
for

for the particular Information of the Post-Master General, and also a map of the whole Province. Tho' by a small scale, it is pretty exact, as I have made it from the latest & best observations. But it is necessary for me to observe to your Lordship, that the Townships have no Towns therein, (tho' generally well settled with Farms) lest the name might mislead the Post-Master General, who might from thence think an inland Post practicable by fixing Offices in some of them. Altho' as I am now endeavouring to establish Circuit Courts and Fairs in our Western parts, which may soon collect numbers to live in villages, in a few years the Post might be extended there.

The grievance complained of in the 15. Clause of the 9<sup>th</sup> of Ann. Chap. 10. relative to the Post Office, is also greatly complained of here. The remedy proposed seems by the words General Post Office to have been calculated only for England. If that Clause could be adapted to the circumstances of this Town, where many letters are brought by sea, it would add some increase to that branch of the King's Revenue, as well as security to the Persons concerned in the proper  
distribution

distribution of the letters, but in doing this some explanation is necessary in regard to the letters which are to be sent by the Post Master out of Charles Town, for the number of them in general is so few, that the Postage settled in the clause for carrying letters 60 or 100 miles cannot defray the charge thereof at present. At Charles Town within the last 12 months arrived 360 sail from different countries. At Beaufort &c. George Town &c.

I have the honour to be with the greatest Respect,

My Lord,

Your Lordship's Most Obedient

& Most Humble Servant,

W<sup>m</sup> Bull

To

The Right Honourable

The Earl of Halifax

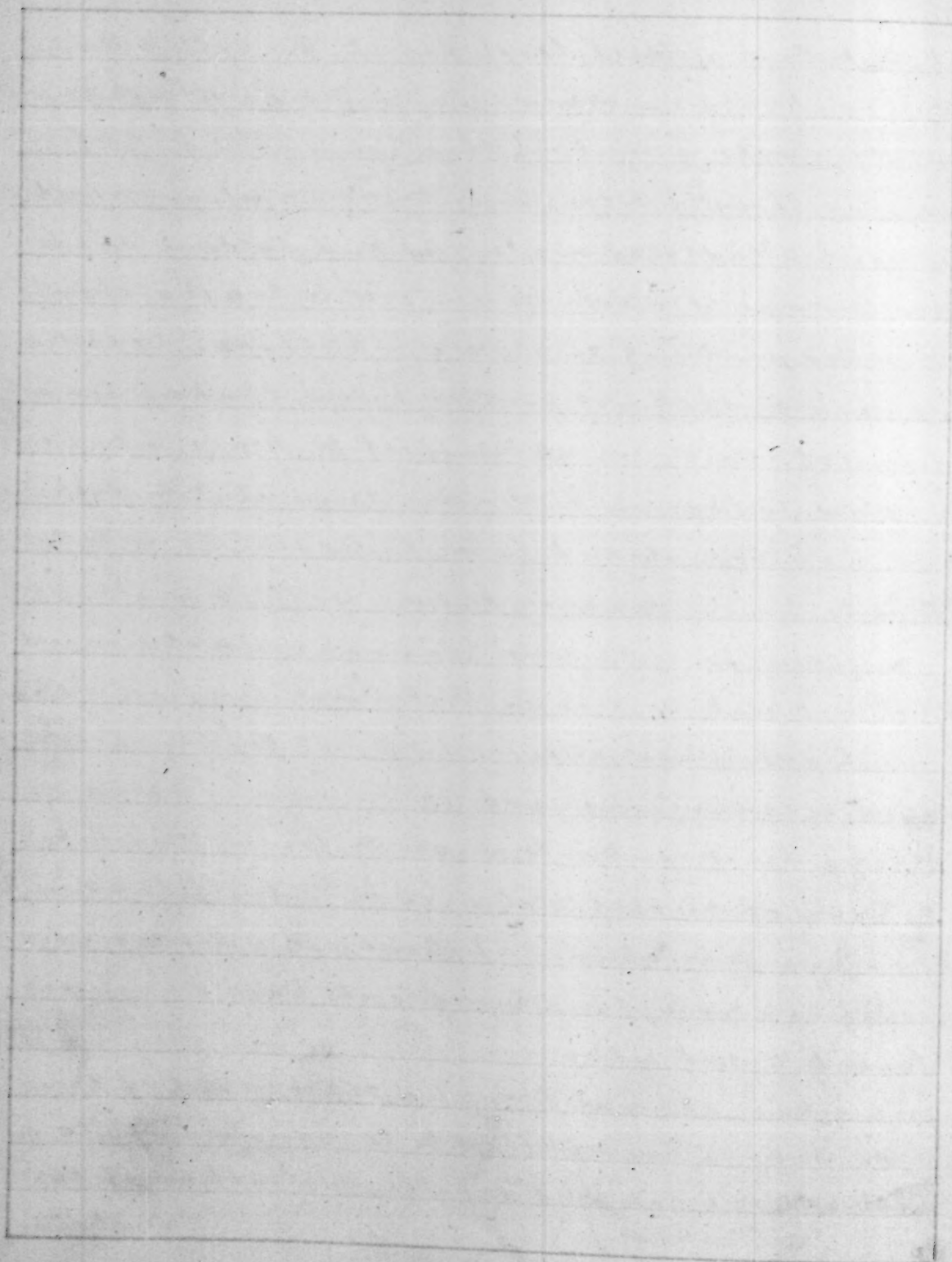
One of His Majesty's Principal

Secretaries of State,

Westminster.

R. 27<sup>th</sup> May.





B. P. R. O. South Carolina. B. J. Vol. 21. N. 23.

Charles Town. March 15<sup>th</sup> 1765.

My Lords,

I have the honour to acquaint your Lordships that in obedience to His Majesty's Commands the German Protestants are settled together about 12 miles south of Ninety Six, which spot was pitched upon by the first party who went out of Town as most eligible on account of their security, having many English settlers on their Frontier, who are more accustomed to see Indians & know better how to behave towards them.

The Land where the Germans are seated is good, but not quite so rich as that which lies more westerly; this they were informed of, but for the reason above mentioned declined going there. I have given the name of Londonborough to this Settlement in honour of the Gentlemen of the City of London by whose liberal contributions after His Majesty's great example, these Emigrants have been maintained & sent hither.

I have appointed Militia Officers out of their own body, & one of them to be a Justice of Peace, with a Book compiled for the Instruction of the  
Justices

Justices of this Province. This I hope will preserve good order amongst them, & prevent those jealousies which strangers are apt to conceive, of their being improperly treated by the English, until they understand our language & Laws. To encourage a military spirit & attachment to the English, I gave them a set of silk-colours, with the name of their Township wrought thereon; And recommended them to some of the best English in that neighbourhood for instruction in the agriculture of our Climate, tho I put them as well as the French Protestants of Hillsborough upon going with their whole strength next year upon raising Hemp, by giving to each Township several bushels of seed now, and advising that they should prepare for a future staple of silk by planting mulberries.

The party who went up in January last had finished their Shuts by the beginning of this month, as all of them would have done, if it had been their good fortune to have had their baggage arrive with, or soon after them.

As soon as the Arsenal built by this Province was fit to receive the war like stores I caused them to be collected & deposited therein. All the cannon, except



except upon three Batches reserved for salutes, a re-  
dismounted, & laid up in the Arsenal & their carriages  
housed from the weather.

That your Lordships may have a view of the  
Trade of this Province I have transmitted an ac-  
count of the number of vessels cleared from this  
Port for 12 months last being 360. From Beaufort  
there are about 40. & from George Town 24, making  
in the whole 424 sail. The quantity of Rice is  
111310 Barrels, & of Indigo 545620 w<sup>t</sup> The Province  
Bounty for Hemp has been paid by the Public  
Treasurer for 105000 w<sup>t</sup> which not being yet the  
best, is consumed here. & sent to Philadelphia &  
Boston: tho' I hope next summer will produce  
some tons that will receive the Parliamentary Bounty

It is with great pleasure I inform your Lord-  
ships that the Repairs of Fort Prince George are  
carrying on with great diligence under the In-  
spection of the Officer, & by the labour of the  
Garrison on duty there, at the expence of this  
Province. And instead of repairing Fort Moore  
the Assembly have resolved to provide £1000  
sterling for building a Fort of stone about 15  
miles above Hillsborough on the Savanna River.  
this

this has been so long delayed, on account of the difficulty of receiving information concerning the estimate thereof. I have honoured this Fort with the name of Her Majesty & call it Fort Charlotte. This will give good cover to the settlements in those parts.

As there is only one Court where Criminals & only one where Civil matters are tried in this Province, & they holden in Charles Town, the Inhabitants settled 250 miles West from thence, lie under great hardships for want of that protection of their persons & their property which the Law affords. I am therefore endeavouring to prevail on the Assembly to provide for the expence of Circuit Courts which will be great. I think Courts of an inferior Jurisdiction are also very necessary, & tho' the Judges in such cannot be expected to be well skilled in Law, they might be kept in proper bounds by the Inspection & controul of the superior Judges who go the Circuits. Whether this can be digested & brought to perfection this session, I cannot yet judge, but I thought it my duty to acquaint your Lordships with the grievance, & my endeavours to redress it.

I have acquainted the Cherokees that accord-

ing to their desire; I shall send next June a Commissioner to meet them & mark out the Boundaries between the English & them. As our Boundary with North Carolina is not yet ascertained so far West, I must stop a few miles to the North of the Road from Ninety Six to Fort Prince George, Governor Hobbs of North Carolina, has already expressed a jealousy that in running this Boundary I shall perhaps give up some Lands in his Province, which he can by no means consent to, but I have acquainted him that I had no intention to go beyond the reputed Boundary of my own Province: tho' I hear the People of North Carolina are making quick advances to the foot of the Cherokee mountains, which is the chief Hunting Ground for the Lower Cherokees.

Upon a second application, Iudd's Friend the Cherokee Chief who had the honour of kissing His Majesty's hand two years ago, was prevailed on to go with a party to endeavour the interrupting a convey of ammunition sent by the French of the Illinois to the Shawnee & Delaware Indians up the Ohio River. According to my directions, he went to the Onatash last November & thence down the stream to Fort

Assumption



Assumption, where he discovered two boats one on each side the River; He waylaid the landing, & took two French men in one, which the men in the other discovering fled into the woods. The Convoy had passed before strongly escorted. Both boats had flour, brandy & Gun-Powder & shot on board. The Indian treached the Brandy to the King's health in the Fort, & sunk the rest of the lading. I had cautioned him against putting any Frenchman to death, & that he should deliver them to the English Governor which would prevent their being kept as Slaves; & they shall be treated according to the good faith & harmony subsisting between the two Crowns. For this readiness to assist the English, the Assembly on my recommendation, have enabled me to give a reward to him & his party equal to the profit they might have made by hunting during the time spent in this Expedition, which will be £15 sterling to the Commander & £7. 10. to each of his followers.

Until your Lordships plan for regulating Indian Affairs shall take place, I hope I shall not be thought to have mistaken my authority, in having appointed Mr Cameron to be a Justice of Peace.

Peace, in the Cherokee Country, in order to prevent  
 & suppress as far as I am able, many disorders  
 which are beginning to appear among the Eng-  
 lish Traders and their servants there. But  
 from the Representations which were made, I  
 thought such a measure absolutely necessary,  
 until I may be honoured with your Lordships  
 commands thereupon. I must beg your Lord-  
 ships patience while I mention another matter  
 when the Indians were lately reproved for  
 coming among the English to hunt, they replied,  
 the English did the same among the Indians,  
 they frequently met with English hunting on  
 Indian grounds, who were more excusable  
 than the Indians, for the English could make  
 cloathing for themselves, but the Indians could  
 get theirs only from the backs of the Deer &  
 Beaver, which the English ought not to kill on  
 the Indian grounds. If your Lordships were  
 pleased to signify in what manner these in-  
 truders are to be restrained, the restraining them  
 would give great satisfaction to the Indians.

I have sent to your Lordships the Journals  
 of the Council & of the Assembly to the 1<sup>st</sup> day  
 of

of January last, and as soon as this session of assembly is ended, I shall do myself the honour of acquainting your Lordships with the Bills passed, till the Acts can be transcribed. A Revival Bill received my assent last January, by which the Act giving Bounty for the encouragement of Protestants to become Settlers here is revived, as also the Act for the Militia, Governing Negroes, Patrols, & 17 others relating to our interior economy & civil Government.

I have the honour to be with the greatest respect,

my Lords,

Your Lordships most obedient

& most Humble Servant,

To

W<sup>m</sup> Bull.

The Right Honourable

The Lords Commissioners

for Trade & Plantations

at Whitehall.

Recd May 30. 1765.

Read June 27. 1766.



B. S. R. O.

A. &amp; W. S.

Vol. 223.

Charles Town, 28<sup>th</sup> March 1765.

My Lord,

On the 27<sup>th</sup> of last month the Grenville Packet Capt: Curlett having sailed about four days from Pensacola was lost on a shoal on the West side of Cape Florida about 30 leagues from Havana. She struck about 2 in the morning, & at daylight they discovered an Island of sand a league off, whither with some difficulty all the passengers got safe. At eight a clock she went to pieces. The Masts were lost with her. In a few days after suffering much from hunger & thirst they all got to the Havana, where the Master of the Packet is at present waiting for an opportunity of coming hither. This account I recd by the Sergeant of a recruiting party belonging to his Majesty's 34<sup>th</sup> Regiment sent from Mobile to London who was shipwrecked in the Packet & arrived here yesterday from the Havana. I thought it my duty to acquaint your Lordship therewith by the first opportunity, as it may be of consequence to his Majesty's Service that your Lordship should be informed as soon as possible of

of this accident, that any of the King's Commands which your Lordship may have transmitted for the Governor in the Southern Parts of North America being lost, your Lordship may take such order thereupon as your Lordship judges necessary.

At the same time I have the satisfaction to acquaint your Lordship that I have not heard of any illicit Trade being carried on in this Province, or a suspicion of any such practices.

I have the Honour to be with the greatest Respect,  
My Lord,

Your Lordship's Most Obedient  
& Most Humble Servant,

To

W<sup>m</sup> Bull.

The Right Honourable

Dunk Earl of Halifax

One of His Majesty's Principal  
Secretaries of State  
at St James's

R. 11<sup>th</sup> June.

B. P. R. O. South Carolina B. J. Feb. 21. N. 24.

Charles Town, March 28<sup>th</sup> 1765.

My Lords,

On the 27<sup>th</sup> of last month the Greenville Packet Capt. Curlett having sailed about 14 days before from Pensacola in her voyage hither was lost on a shoal on the West side of the Cape of Florida about 30 leagues from Havana and by which accident the maille was lost, tho all the Peoples lives were saved, & after suffering much from hunger and thirst upon a sandy key, they got to the Havanna. I received this account by a Serjeant of Lord Frederic Cavendish's Regiment on duty at Mobile, sent home to London in the Packet on the recruiting service. The Captain of the Packet is expected here from the Havanna daily.

I thought it my duty to give your Lordships the earliest intelligence of this accident, that your Lordships may take such order thereupon as may be necessary on account of the loss of any Commands which your Lordships may have transmitted therein.

J



I have the honour to be with the greatest respect,

My Lords,

Your Lordships most obedient

& most Humble Servant,

To

Wm Bull.

The Right Honourable

The Lords Commissioners

for Trade & Plantations

at Whitehall.

Recd June 17. 1765.

Read June 27. 1766.

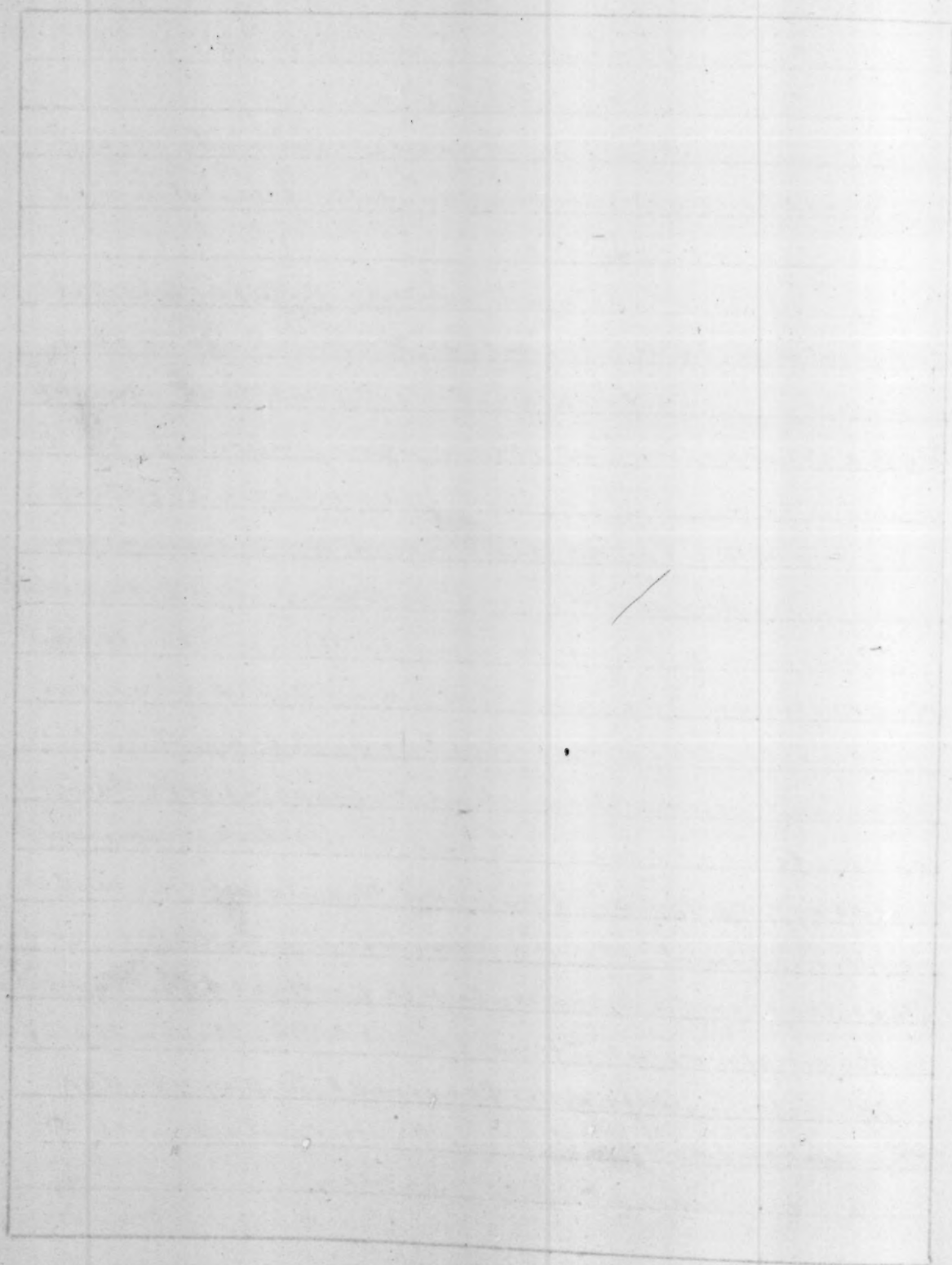
B. P. R. O.      A. & W. J.      Vol. 223.

St James's June 20<sup>th</sup> 1765.

Lords Commissioners for Trade & Plantations.

My Lords,

I send your Lordships enclosed an Extract of a letter from M. Gen<sup>l</sup> Gage, with the copy of one from Lieut. Governor Bull, concerning a Demand of £1000. Carolina Currency, made by M<sup>r</sup> Samuel Wyley for surveying a Tract of Land for the Catawba Indians, by Order of the four Governors who held the Congress at Augusta in 1763: And I am to signify to your Lordships His Majesty's Pleasure that you should consider whether that expence ought to be defrayed by the Province of South Carolina alone, or proportionably by the four Provinces whose Governors concurred in ordering the said Survey to be made, & that your Lordships should accordingly direct such Governor or Governors to satisfy the said Demand, or to recommend, if necessary, to the Assembly of His, or their respective Provinces to provide for the discharge of it.





B. P. R. C. South Carolina. B. J. Feb. 21. M. 6.

To the Right Honourable the Lords of his  
Majesty's Board of Trade & Plantations  
My Lords.

About twenty poor French families who have taken refuge in this country are almost all of them husbandmen and have been a long time out of work and in extreme want vainly seeking relief in French Churches they already swarm with poor so that no other resource is left them but either to remove in some distant climate or perish for want in this land of plenty, they gladly my Lords would, embrace the opportunity to go over to his Majesty's new acquisitions in Carolina nay any where they could be under his Majesty's protection whom they are taught from their infancy to look upon as the protector of the Protestant Religion if therefore my Lords your humble petitioners could obtain so great favour from their Lordships they would all be bound to pray for their Lordships all the days of their lives.

NB. Your most humble Petitioners desire if possible to join the Colony which went into Carolina with M<sup>r</sup> Libert now inspected by M<sup>r</sup> Boutillon.

Claude

Claude Chabat sa femme & quatre Enfants Laboureurs  
 de Terre \_\_\_\_\_ 6  
 Pierre Boyau Charpentier \_\_\_\_\_ 1  
 Jean Jacques Gransat sa femme & quatre Enfants  
 Tisserand & Ouvrier de Terre \_\_\_\_\_ 6  
 Paul Chauvet, Ouvrier de Terre \_\_\_\_\_ 1  
 Claude Barnier sa femme & un fils Laboureurs de Terre 3  
 Pierre Le Riche sa femme & cinq Enfants Tisserand. 7  
 Jean Dron sa femme & un Enfant Tisserand. — 3  
 Jacques Chamberland, Jardinier & Boulanger — 1  
 Claude Chauvet sa femme & un Fils, Laboureur de  
 Terre & Fabricant en Laine \_\_\_\_\_ 3  
 Jean Pierre Blanchet & sa femme, Jardinier. — 2  
 Jacques Le Gros sa femme & quatre Enfants  
 Jardinier \_\_\_\_\_ 6  
 Pierre Chenton, Laboureur de Terre  
 Pierre Vaillant, Travailleur de Terre, & Tailleur — 1  
 Louis Sallier sa femme & trois Enfants  
 Ouvrier de Terre \_\_\_\_\_ 5  
 Mathieu Poitvin & sa femme, Laboureur de Terre. 2  
 Jean Plessen sa femme & un fils Tisserand. — 3  
 Joseph Roulland, & sa femme Jardinier &  
 Ouvrier de Salpêtre. \_\_\_\_\_ 2  
 Jacques Paulot, Tonellier. \_\_\_\_\_ 1

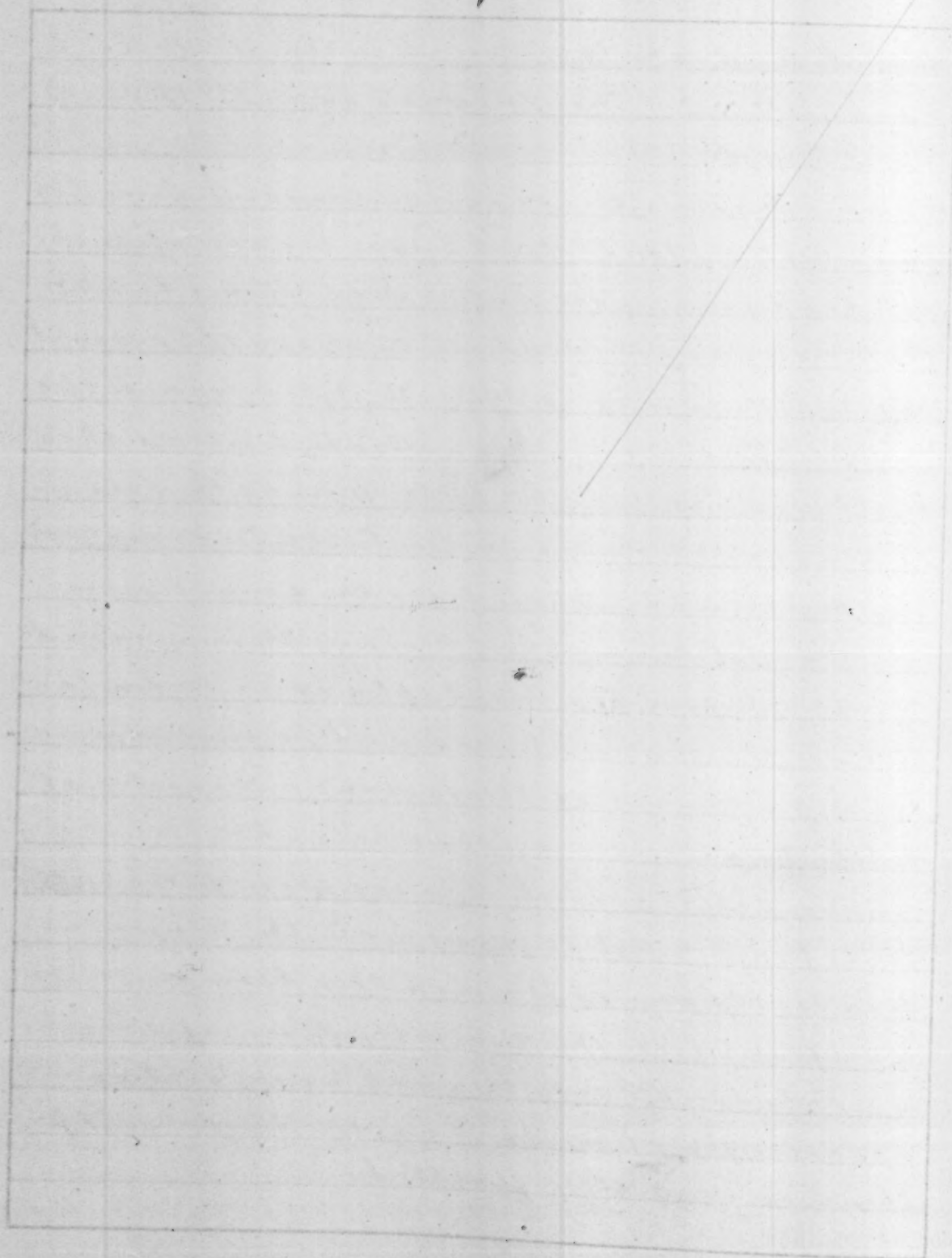
Louise

Louise Manichal	1
Pierre Villant, & sa femme Jardinier	2
Jean Berard Charpentier	1
Pierre Commer. Boulanger	1
Laurant Augustin Boulanger	1
	<u>5</u>

Rec'd April 30

Rec'd do } 1765





B. P. R. C. South Carolina. B. J. Vol. 21. N. 25.

Charles Town, June 5<sup>th</sup> 1765.

My Lords,

I have the honour to acquaint your Lordships that on the 6<sup>th</sup> April I gave my assent to an Act for defraying the Public Debts of this Province from January 1<sup>st</sup> 1764 to 1<sup>st</sup> January 1765 amounting to the sum of £102929-12-3 to be raised by a Tax on Land Negroes Stock in Trade & monies at interest and applying £30,270-8-9 being the balance of the several Funds in the Public Treasury making together £133,198-1-0 for the same service.

An Act to empower Persons therein named to sell & dispose of a Tract of Land on Wadmelow Island therein mentioned and to purchase another for the use of the Pastor or Minister of the Meeting House on Johns Island.

An Act to promote & carry more fully into execution an Act to incorporate the Wingaw Indico Society now of force in this Province.

after which the Assembly desiring some recess to the 16<sup>th</sup> July they had leave to adjourn accordingly, at which time the business of this Session will be finished.

By

By the Beaufain Capt<sup>r</sup> Curling from London two days ago, I was honoured with His Majesty's Commands signified in your Lordships letter of the 15 February last, in regard to the hospitable manner with which Spanish vessels coming into this Province shall be treated. I am happy in having always given such a reception to the Spaniards who have put in here, as his Majesty is graciously pleased to direct, by having furnished them with whatever Repairs or refreshments their distress or convenience required. & to prevent their carrying on any Trade contrary to the Acts of Navigation, taking care that an Officer from the Custom House was continued on board from her entering until her departure out of Port. I shall nevertheless endeavour to procure the best information of such Regulations as are observed in Jamaica on such occasions & conform thereto.

I have the pleasure of informing your Lordships that I have at last agreed with a person to build Fort Charlotte of stone. It is situated about 15 miles above Hillsborough, & 2 or 3 below the mouth of the Broad or Cheraikaw River, & commands a very commodious Ford over the Savana; wide &  
not



not above 3 feet deep where the River is 660 feet broad. It is not many miles from the place where the intended Boundary between the English & Cherokees will intersect the Savana River. A party from the Garrison of Fort Moore is ordered to take Post within a Stockade immediately to be erected within the area of Fort Charlotte to cover the workmen, & I have directed the cannon at Fort Moore to be moved, & such as are fit for service to be removed to the new Fort with the soldiers, and a proper store of powder shall be sent.

M<sup>r</sup>. Stuart Superintendant for Indian Affairs has lately sent me from Pensacola some Regulations for the more orderly conducting the Indian Trade, which he proposes for the concurrence of the Governors within his District. But as his Majesty has been pleased by his Royal Proclamation to reserve the Establishment of any such to himself or Commissaries to be appointed by His Majesty for that purpose, I shall not presume to take any step towards that measure, the more especially as I have reason to expect that your Lordships attention to that matter will have digested such Rules as are necessary, & that they will be transmitted with the utmost dispatch for our Government therein.

I hope your Lordships will pardon me for any intelligence, which I think may be desirable altho' it is not immediately from my own Province. A master of a vessel lately arrived from Pensacola informs me that the 10<sup>th</sup> May Major Farmer set out from Mobile in order to proceed up the Mississippi by the Balise, & New Orleans, to his intended destination at the Illinois, and that a party of Chactaws & Chickasaws led by a few Englishmen, were to cover his march up the River by scouring the banks of it.

Upon frequent examination of the French man taken by Judds Friend last winter near Fort Assumption as carrying ammunition up the Ohio to the Delawares & Shawnee who was delivered up & sent to me. He appears to be a meer Coureur de Bois, & therefore I shall send him in a few days to Governor Johnston at Pensacola, to be by his Excellency forwarded to New Orleans as the most ready way of his return home.

I have the honour to be with the greatest Respect,  
To My Lords,

The Rt. Honble

Your Lordships most obedient

The Lords Commissioners

& most Able Servant,

for Trade and Plantations

at White hall.

Recd July 25. 1765  
Read June 27. 1766.

B. P. R. O.

A. &amp; W. J.

Vol. 223

St James's 10<sup>th</sup> August. 1765

Lieut. Governor Bull.

Sir,

I have nothing immediately to communicate, & only write to bring up the correspondence you held with the Office. His Majesty has done me the Honor to invest me with

I need not, I am sure, press you to a continuance of your conduct in keeping things quiet in your Province, and attending to those objects which have been recommended to you

I am &amp;c.

H. S. Conway



2

B. P. R. O.

A. &amp; W. J.

Feb. 22.3.

Charles Town, September 8<sup>th</sup> 1765

My Lord,

I have rec<sup>d</sup> the honour of your Lordships letter of the 9<sup>th</sup> of February last signifying the Kings pleasure in respect to the general command of His Majesty's Troops to be vested in the Governors of the respective Provinces, to which I shall pay the most punctual obedience.

I have the honour to acquaint your Lordship that in consequence of the Resolutions of the Assembly mentioned in my letter of the 13<sup>th</sup> Sept<sup>r</sup> last, Fort Prince George hath received so general a repair as to be equal to a rebuilding and is now all finished except a little work upon the Officers Barracks, the Guns are remounted on new carriages and Fort Charlotte is now building with stone. The cannon belonging to Fort Moore & the Detachment of His Majesty's Troops lately on duty there are removed to Fort Charlotte. I ordered a stockade in the mean time to be built in the area of Fort Charlotte for the security of the soldiers who are to be ready to protect the workmen against any insult which otherwise might be offered by straggling parties of Creek Indians who

who used to enter this Province at the Ford which this new Fort now commands. As the situation of this Fort will give great countenance to the settlers near it, I hope it will be thought very necessary to reinforce the garrison as soon as the Barracks are in a fit condition to receive more Troops.

I have the honour to mention to your Lordship in obedience to your Lordship's Commands that I have not received Information of any illicit Trade being carried on by the Inhabitants of this Province.

I have the honour to be with the greatest Respect,

My Lord,

Your Lordship's most Obedient

& most Humble Servant,

To

W<sup>m</sup> Bull.

The Right Honourable

Dunk Earl of Halifax

One of His Majesty's Principal

Secretaries of State at

St James's

R. 8 Nov<sup>r</sup>



271  
B. T. R. C. South Carolina. B. T. Oct. 21. N. H.

Charles Town. September 8<sup>th</sup> 1765.

My Lords,

By the Hillsborough Packet I transmit to your Lordships copies of the Acts of Assembly passed this Session, and as I have already acquainted your Lordships with the purview of the Acts passed at the beginning of this Session, and those lately passed, relating only to High Roads Ferries & Parochial matters, I shall not trouble your Lordships with the heads of them.

I called upon the Secretary to hasten the list of Grants which your Lordships were pleased to direct; He employs one Clerk almost constantly upon that work, and is got down now as far as the Grants in 1736. I think it my duty to observe to your Lordships that the Record Book of Grants prior to the year 1692 was burnt among other Records about that time so that the list will not be perfect from the first settlement of this Province. I believe it cannot be brought up for your Lordships inspection before next Spring.

The Assembly have voted £8000 for finishing the State House built some time ago in Charles Town

Town appropriated to the use of the Governor, Council, the Assembly, Courts of Justice & Juries, Secretary's Office, Clerk of the Common Pleas & Crown Office, they declined making provision for building a Jail at present but I shall renew my recommendation of that very necessary building as well as the Establishing Courts in the back & remote settlements at the meeting of the New Assembly.

As Mr Stuart His Majesty's Agent for Indian Affairs is now here I shall not trouble your Lordships on the subject of Indian Affairs of which your Lordships I presume will receive full accounts from him. I shall only mention that I have appointed a Gentleman who is well esteemed by the Cherokees a Commissioner for running the Boundary & that in my Instruction to him I have directed that the greatest attention be paid to the King's most gracious intention of doing Justice to the Indians & removing every appearance of endeavouring to encroach upon their Hunting Grounds & he is to communicate my design to the Indians & to require some of their Chiefs to attend him in the work, & to assure them that no Englishman shall run hands to  
the

the Westward of that Line.

May I be permitted to represent to your Lordships an hardship to which the Coasting & consequently the General Marine Trade of this Province is exposed to & threatened with by seizures under pretext of the Navigation Acts from which it has hitherto been free. It is well known to your Lordships that Rice & Indigo are planted throughout the maritime parts of this Province; that there are but 3 Ports where Custom Houses are established viz<sup>t</sup> Charles Town, Beaufort & George Town that the general market as well as place of exportation is Charles Town. That Rice must therefore be transported from the Rivers where it is raised in Pottungers that carry 100 Barrels decked to secure the Rice from the weather and pass along the sea coast as they draw too much water for the shoal channels of the Inland Communication. Some Captains of His Majesty's sloop of war now empowered by Reputations from the Commissioners of the Customs to seize vessels not conforming to the Acts of Navigation say that if they meet with decked vessels at sea with Rice on board tho' manifestly



manifestly only passing coastwise which has not aboard the papers necessary for ships laden with Rice they may & perhaps will seize & libel them at the Court of Admiralty. And how far these Pettibangers will be liable to condemnation under a literal & rigid construction of those Acts must be submitted to that Court, but even dismissal of the libels would put the Defendant to very great expences as well as loss of time. During Governor Boorne's administration 1762 upon the complaint of General Amherst that the enemy were supplied with Provisions from some of the English Colonies, the General Assembly passed an Act in order to prevent as much as possible such unwarrantable Trade if any were carried on from this Province & obliged the owners of all such Coasting schooners & Pettibangers to give Bond once a year that no Rice or Provision taken on board should be carried out of this to any other Province or place without entering & clearing at His Majesty's Custom House as is done by vessels bound to other parts of the King's Dominions. The Provision made in the Provincial Act would sufficiently prevent any illicit

illicit Trade but as Provincial Laws cannot have any effect where they are repugnant to the Laws of Great Britain such Bonds as were enjoined by the Act of Assembly could not avail against a libel upon the Acts of Navigation altho' there was not the least intention to defraud the King's Revenues by their coasting voyages from one part of the Province to another.

I beg leave further to observe to your Lordships that Merchants who keep stores in the country are obliged to transport various articles of India goods from Charles Town as well as lumber from the out parts to Charles Town by sea in decked Pothangers for the security against weather. I humbly submit to your Lordships whether any fraudulent practices intended to be prevented by the Navigation Acts would not be sufficiently guarded against by a Clause in some Act of Parliament relating to the Revenues, requiring the owners of such Pothangers to give Bond once in 6 or 12 months, & not to be obliged to enter & clear at the Custom House every voyage, as by that means they may loose a fair

fair wind & lie windbound 2 or 3 weeks.

I have the honor to be with the greatest respect,

my Lords,

Your Lordships most obedient

& most humble servant,

W<sup>m</sup> Bull.

To the Right Honourable

The Lords Commissioners

for Trade & Plantations

at Whitehall.

Rec<sup>d</sup> Nov<sup>r</sup> 7. 1765

Read Sandy 21. 1766.



B. P. R. O.

A. & W. J.

Vol. 223

Charles Town, December 17. 1765

Sir,

By the *Greenville Packet* on the 24<sup>th</sup> of last month I had the honor of receiving your letter of the 11<sup>th</sup> July notifying that His Majesty has been pleased upon the resignation of the Earl of Halifax to deliver to you the seals for the Southern Department upon which event you will please to permit me to felicitate America from the prospect of its future welfare which will depend so much upon your known zeal abilities & attention thereto, and I beg leave to assure you that I shall with the greatest punctuality to the utmost of my power execute all His Majesty's Commands with which you shall be pleased to honor me, and constantly represent such matters concerning the state of this Province as I am commanded by the Kings Instructions to do.

As you will doubtless long before this reaches your hands have received accounts that in consequence of the general opposition which hath been shewn in America against the operation of the Stamp Act all the Ports are shut up as no vessel can be cleared without stamp papers, which if  
absolutely

absolutely observed would reduce His Majesty's Forces in East & West Florida, Bermuda & new Providence to the danger of Famine, I have directed the Officers of His Majesty's Customs in this Port to grant clearances (indorsing Certificates that no Stamp Papers are distributed here) for a sufficient quantity of Provisions for their subsistence as well as naval stores for His Majesty's Ship Escorte now at the Bahama's in want thereof. Upon so extraordinary an occasion I flatter myself that I shall be honored with His Majesty's approbation of my proceeding therein, as I take every precaution to prevent any abuse of a Licence granted purely for the King's Service.

I have the Honour to be with the greatest Respect,  
Sir,

Your most obedient &

most Humble Servant,

The Right Honorable W<sup>m</sup> Bull

Henry Seymour Conway Esquire

One of His Majesty's Principal  
Secretaries of State at  
St James's.

R. 10 Feb<sup>y</sup> 1766.

B. F. R. O. South Carolina. B. F. Vol. 21. N. 13.

(Copy.)

Charles Town, S. Carolina.

Oct 29<sup>th</sup> 1765.

Sir,

We his Majesty's Officers the Inspector and Distributer of Stamps for the Province of South Carolina having received repeated intimations that our lives & properties would be in imminent danger (from a number of people who had already committed many acts of violence of which your Honor has we suppose from your late Proclamation rec'd information) should we attempt to execute our offices.

And from an application to us in the name of the People of South Carolina requesting we would suspend the Duty of our offices till the determination of Parliament should be known, with respect to a united remonstrance of His Majesty's American Colonys now about to be delivered.

Req leave to inform your Honor that, under these circumstances in order to restore and preserve the peace of this His Majesty's Colony as much as is in our power did acquiesce in the request made us from the Inhabitants of South Carolina.

and



And most humbly hope that no breach of duty  
or unjustifiable proceeding may be therefore im-  
puted to us.

We are,

Your Honors

most Humble

most obedient servants

(Signed)

Geo: Sazby

C. Lloyd.

To the Honble

William Bull Esquire.

Lieut: Governor &c.

In Mr Bull's letter of 3. Nov: 1765.

Read Feby 6. 1766.

B. P. R. O. South Carolina. B. J. Vol. 21. N. 12.

Charles Town, November 3<sup>d</sup> 1765.

My Lords,

I think it my duty to acquaint your Lordships with some very extraordinary & universal commotions which have happened in this Town upon the arrival of the Stamp Papers.

Accounts had been received from Boston of the outrages committed there on the 14<sup>th</sup> & 26<sup>th</sup> of August last & also of those at Rhode Island to shew their determined Resolutions to prevent or elude the execution of the Stamp Act in those Provinces, & also of the intentions which other Provinces at the Northward had expressed to the like purpose, and not with so much violence, all which have undoubtedly been transmitted to your Lordships & I now presume to mention them only as the unhappy cause of what has happened here.

New England vaunts its numbers and arrogates glory to itself in taking the lead of North America. For before those accounts came, the People of this Province, tho' they conceived it too great a burthen, seemed generally disposed to pay a due obedience to

to the Act and at the same time in a dutiful and respectful manner to represent to his Majesty the hardships which it would lay them under, & to pray relief therein. I must do them the Justice to add that in all other respects the King has no subjects that express & shew more loyalty to his Majesty than the People of this Province.

But by the artifices of some busy spirits the minds of men here were so universally poisoned with the principles which were imbibed & propagated from Boston & Rhode Island (from which Towns, at this time of the year, vessels very frequently arrive) that after their example the People of this Town resolved to seize & destroy the Stamp Papers, & to take every means of deterring the Stamp Officers from executing their duty.

Upon the arrival of the Stamp Papers on the 20<sup>th</sup> ult. a great concourse of men assembled. Application was thereupon made to me for protection of the Papers as the intentions of the populace were too well known to be doubted. I thought it my duty to secure them from destruction or even insult & therefore requested Capt<sup>n</sup> Fanshawe of His Majesty's sloop Speedwell  
- to



to receive them on board until it should be necessary to remove them on shore for the execution of the Act, his ship was then heaving down at Hobear to Carren & he thought it not safe to have them on board as he lay at a wharf; & then desired he would send his boats armed to take the Packages of Stamp Papers out of the ship which brought them before night at which time the populace vowed to execute their design, this he readily complied with, & I sent the Papers down to Fort Johnson; & lest their madness should attempt to carry their scheme into execution, I reinforced the Garrison with a detachment of a serjeant & 12 Royal Americans who happened to be in Town; that the appearance of military troops joining the few Provincials there, might deter them from the rash undertaking, & I gave directions to Col: Howorth, who commands in that Fort, to take every precaution against a surprize, & put it in the best posture of defence against an escalade. These measures happily prevented their making any attempt on the Papers. Their fury was then directed towards striking a terror into the Stamp Officers if they

they persisted to perform their duty; which was done by night in great numbers battering the house of Mr Saaby, who was suspected to be arrived, tho' he then was not, and hunting after Mr Caleb Lloyd, searching his lodgings, who prudently had withdrawn himself.

On the same day, the information was given to me that the Stamp Papers were arrived, I summoned the Council, acquainting them therewith & what I had done thereon, & took my Bath to use my utmost endeavours to carry the Act into execution, and as this commotion began on Saturday while the Court of General Sessions for the whole Province was sitting in Town, I thought proper to recommend to the Chief Justice to require all Peace Officers to exert themselves in suppressing such unlawful assemblies. But the infection was too generally spread to receive any check from his authority. On the Monday being informed what had happened on Saturday & Sunday nights I published a Proclamation offering a Reward from my own pocket of £50 sterling to any person who would discover the author of the outrage and a pardon to  
any

any informer who was an accomplice, & commanded all Judges &c to do their duty in preserving the Public Peace, but all this produced not the desired effect. And some insults having been committed on several persons houses under pretext of searching for Stamp Papers, I ordered an advertisement to be published that they were by my order lodged in Fort Johnson. The commotion upon this in some measure subsided till the arrival of M<sup>r</sup> Saxby from London on the 27<sup>th</sup> when every thing was again set in motion by a very great concourse of people threatening every thing against the persons & effects of M<sup>r</sup> Saxby & M<sup>r</sup> Lloyd to deter them or any other person from doing their duty under that Act: M<sup>r</sup> Saxby having been apprized of these dispositions by his friends on the first arrival of the ship, prudently declined coming up to Town but went on shore at Fort Johnson whither M<sup>r</sup> Lloyd had also retired for his safety, which was all the protection my power could afford them. The commotions still continued & all this during the sitting of the Court of Sessions which by Law is vested with the

Powers



Barons of the King's Bench in criminal matters, till on Monday these two Officers prevailed upon by the importunate request of their friends consented to decline acting until the sense of the Parliament of Great Britain should be known upon the joint Petition of the Colonies which is now on the anvil at New York. These two Gentlemen wrote me a letter on the occasion, of their declining to Act, a Copy whereof I have the honor to transmit to your Lordships.

Altho' these very numerous assemblies of the People bore the appearance of common populace yet there is great reason to apprehend they were animated by some considerable men who stood behind the curtain. This contagion has spread thro' this whole country & many are alarmed by various false representations not only of what this Act enjoyns, but with fears of what is to follow from future Laws of the like nature.

As there are no Stamp Papers can be issued during this situation, a stop is now put to all business in every Office where they are required, and notwithstanding the great inconveniences & detriment which it will occasion, the People at present

present seem determined to submit to them patiently, till they see the fate of New England which I presume they will follow, in returning to their duty in this matter, as soon as they know that Province is brought to theirs.

I have thus endeavoured my Lords to represent to your Lordships a faithful & circumstantial account of the unhappy situation of this Province on account of this spirit of opposition to the Stamp Act, in which relation I thought it my duty to be very particular that your Lordships might be the better enabled to judge what was necessary to be done for His Majestys service thereupon, and at the same time my Lords may I humbly hope to appear to your Lordships to have performed every thing in my power for the service of His Majesty & the preserving the Public Peace of the Province; and I flatter myself I shall, when your Lordships will please to consider that I had none but the Civil Magistracy to enforce my orders, and that they are to be supported by the *Forse comitatus*; of which these concourses of People were composed; and I am morally certain my Lords any attempt to quell them my force  
would

would have occasioned the shedding of blood without effecting the end proposed thereby.

The new elected General Assembly met on the 29<sup>th</sup> ult: & in their answer to my recommending to them to form their deliberations upon the principle of duty to His Majesty and the considering the service of the King and their country as inseparable and as the surest foundation whereon to establish the tranquillity prosperity & happiness of their country, they declared their Resolution to proceed upon those dutiful & loyal principles, which they trusted would produce freedom & happiness to their constituents. Being too early to enter upon the ordinary business of the year, they had my leave to adjourn to the 25<sup>th</sup> instant. Whether a little longer time and the examples of the Assemblies of several other Provinces in coming to bold resolutions which assert the independency of America in taxing themselves exclusive of any other power, will contaminate our Assembly and lead them to come to such resolution also, is what I do not think impossible, tho' it may be at present somewhat doubtful, wherefore I will not flatter your Lord-  
ships



ships or myself with too sanguine expectations therein.

I humbly beg your Lordships to be assured that I shall do every thing in my power to prevent the Privilege of the Crown from receiving any indignity tho' as I had the honor to observe before to your Lordships my power can extend its influence but a little way under the present almost universal disposition of the People against the admitting the execution of the Stamp Act.

As the Grenville Packet is daily expected here, I may probably receive the Stamp Act by that opportunity, in the mean time I shall continue to acquaint your Lordships with the proceedings in this Province on this subject and with great punctuality perform any commands with which His Majesty or your Lordships shall be pleased to honor me.

I have the honor to be with the greatest respect

My Lords,

Your Lordships most obedient

& most humble servant

To the Right Honorable

The Lords Commissioners

for Trade & Plantations

Recd Feby 6 }  
Read — 6 } 1766.

7

B. P. R. C. South Carolina. B. I. Vol. 21. N. 111

Charles Town. November 6, 1765.

My Lords,

By the hands of Mr. Saxby, I had the honour of receiving your Lordships letter of the 23<sup>d</sup> of August notifying to me that His Majesty had been pleased to appoint your Lordships his Commissioners for promoting the Trade of the Kingdom, & for inspecting and improving His Majesty's foreign Colonies and Plantations, upon which events, I most sincerely felicitate all British America, whose welfare so much depends upon your Lordships wisdom care & attention.

I have the honour to assure your Lordships that I shall by every opportunity transmit exact and faithful accounts of any occurrences in this Province which deserve your Lordships notice as well as the Public papers which are required to be transmitted.

Upon this last Article I must observe to your Lordships that as I have always, when any Acts were passed here, immediately given a short account of their purview to the Right Honourable the Lords Commissioners for Trade, I deferred sending copies of the Acts until the end of the session, which some times is protracted by adjournments for the convenience



convenience of the Country members to six months. And the Journals have not been immediately sent, as matters in General Assembly being often begun early and not brought to a conclusion till near the end of the session such Journals could have given but an imperfect information of their Proceedings. In obedience to your Lordships commands I shall not for the future allow myself the continuance of this discretionary relaxation of the Kings Instructions, but conform with the greatest attention thereto in this matter as I endeavour to do in every other branch of my duty, but most particularly in the correspondence which I have the honour to hold with your Lordships, giving true and frequent representations of the state of this Province, as nothing is more essentially necessary for enabling your Lordships to form successful plans for the establishing good Government, improving the Trade & securing the defence of His Majesty's Colonies.

I have the honor to be with the greatest respect,  
my Lords,

To the Right Honble Your Lordships most obedient  
The Lords Commissioners & most humble servants,  
for Trade & Plantations W<sup>m</sup> Bull  
at Whitehall. Recd. 25<sup>th</sup> 1766.  
Recd. - 6<sup>th</sup> 1766.

R. P. R. O. South Carolina B. J. Vol. 21 N. 27  
(20 November 1765)

To the Right Honorable the Lords Commis-  
sioners for Trade and Plantations

My Lords,

In pursuance of your Lordships Commands signified to me by M<sup>r</sup> Townalls letter wherein you are Pleased to desire my Opinion in Point of Law upon the following Acts passed in South Carolina in August 1764. I have perused and considered the same viz<sup>t</sup>

1. An Act for preventing as much as may be the spreading of the Small Pox.
2. An Act for Enabling the Church Wardens and Vestry of St Andrews Parish to dispose of the Pews in the Church of the said Parish.
3. An Act for allowing an Assistant to the Rector or Minister of St Michaels Parish Charles Town for the time being. For settling an allowance or Salary of Two hundred Pounds sterling or the value thereof in Current Money per annum on the said Assistant and for settling the said Allowance on the Assistant for St Philips Parish for the time being in lieu of the former Salary of

of Fifty Pounds sterling and Subscriptions allowed such Assistant for allowing Two hundred pounds currency per annum for the Repairs of St Michaels Church and for Enabling the Church Wardens and Vestry for the time being of St Michaels Parish to sell the Old and to Purchase a New Parsonage House and Land for the said Parish of Saint Michael.

4. An Act to Impower certain Commissioners therein mentioned to keep clean and in good order and repair the Streets of Charles Town and for Establishing other Regulations in the said Town.

5. An Ordinance to appoint m<sup>r</sup> William Massey County Wailer for the Port of Charles Town.

6. An Act for Building a Church on the New Glebe Land in St Pauls Parish and for finishing and keeping in Repair the Road laid out from Beech Hill to Slanns Island and from thence to Dawkes River and appointing Commissioners for the purposes aforesaid.

7. An Ordinance to Repeal part of an Act Intituled an Act to Regulate the Trade with the Cherokee



Cherokee Indians by taking the same into the hands of the Publick of this Province and to empower the Commissioners to sell and dispose of such Goods as are in their hands by virtue of the said Act.

8. An Act for laying an Additional Duty on all Negroes hereafter to be imported into this Province for the time therein mentioned to be paid by the first Purchase of such Negroes.

Upon Perusal and Consideration of these Acts I have no Objections thereto in Point of Law, and shall only observe upon the last mentioned Act the high Honalty that is thereby laid on all Persons Purchasing or Importing Negroes into this Province, the Propriety of which must be submitted to your Lordships, and am

my Lords,

Your Lordships most

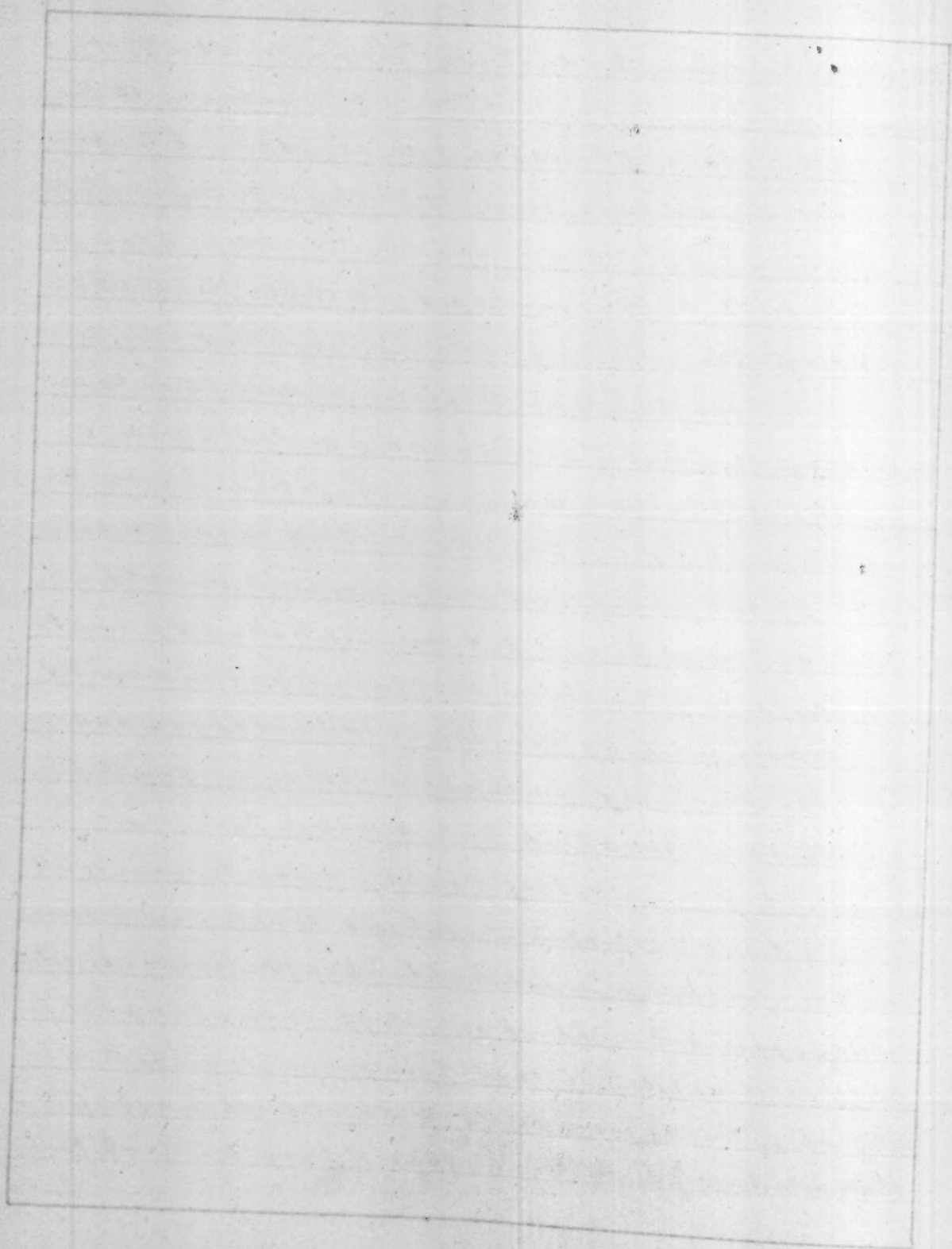
Obedient humble servant,

Lincolns Inn

at Lamb

20 November 1765

Read June 27 1766



B. P. R. O. South Carolina B. J. Vol. 21. N. 9.  
Copy. (23<sup>rd</sup> November 1765.)

To the Rt Honble the Lords Commis-  
sioners of the Treasury

The humble Memorial of Thomas  
Boone, Governor of South Carolina

Sheweth

That on the 11<sup>th</sup> of May 1761 your mem-  
orialist was most graciously promoted by His  
Majesty, from the Government of New Jersey to  
South Carolina. That, in time of war, in the  
depth of the winter, in an unarmed merchant  
man hired at his own expence, having leave to  
return to England for the recovery of his health  
which had been dangerously attacked, an Indian  
war then raging in South Carolina, your  
Memorialist repaired to his Duty, where he  
served the King faithfully, and the People honest-  
ly, as their publick declarations before, and their  
silence on his general conduct after being irritated  
by a supposed breach of privilege, sufficiently testify.  
But the Assembly of that Province, forgetfull, if  
not of your Memorialists services, at least of his  
time, dedicated to their affairs, forgetfull of their  
Duty



duty to the King, who in the Eighteenth Instruction requires, that a competent Salary be provided for the Governor, have persevered, (after the rejection of the Tax Bill by the Council, because this Provision was omitted) in withholding from your Memorialist every shilling of a Salary, never withheld before, and in itself so very moderate that they gave it fifty years ago.

Your Memorialist begs leave to represent to your Lordships that his application differs from both Governor Glen's and Governor Popple's; the claim of the first was not for Salary, and the compensation hoped for by the last, was to issue from His Majesty's British Treasury: But your Memorialist is warranted in his pretensions to favour, by the Royal Opinion expressed in his Instructions, that an adequate Salary was requisite, and in his hopes of success, by there being a fund already liable to several Officers salaries, in that particular Province, where his services were performed.

Though your Memorialist presumes to urge no other claim than to the constant annual stipend, yet was he exposed in the course of  
his

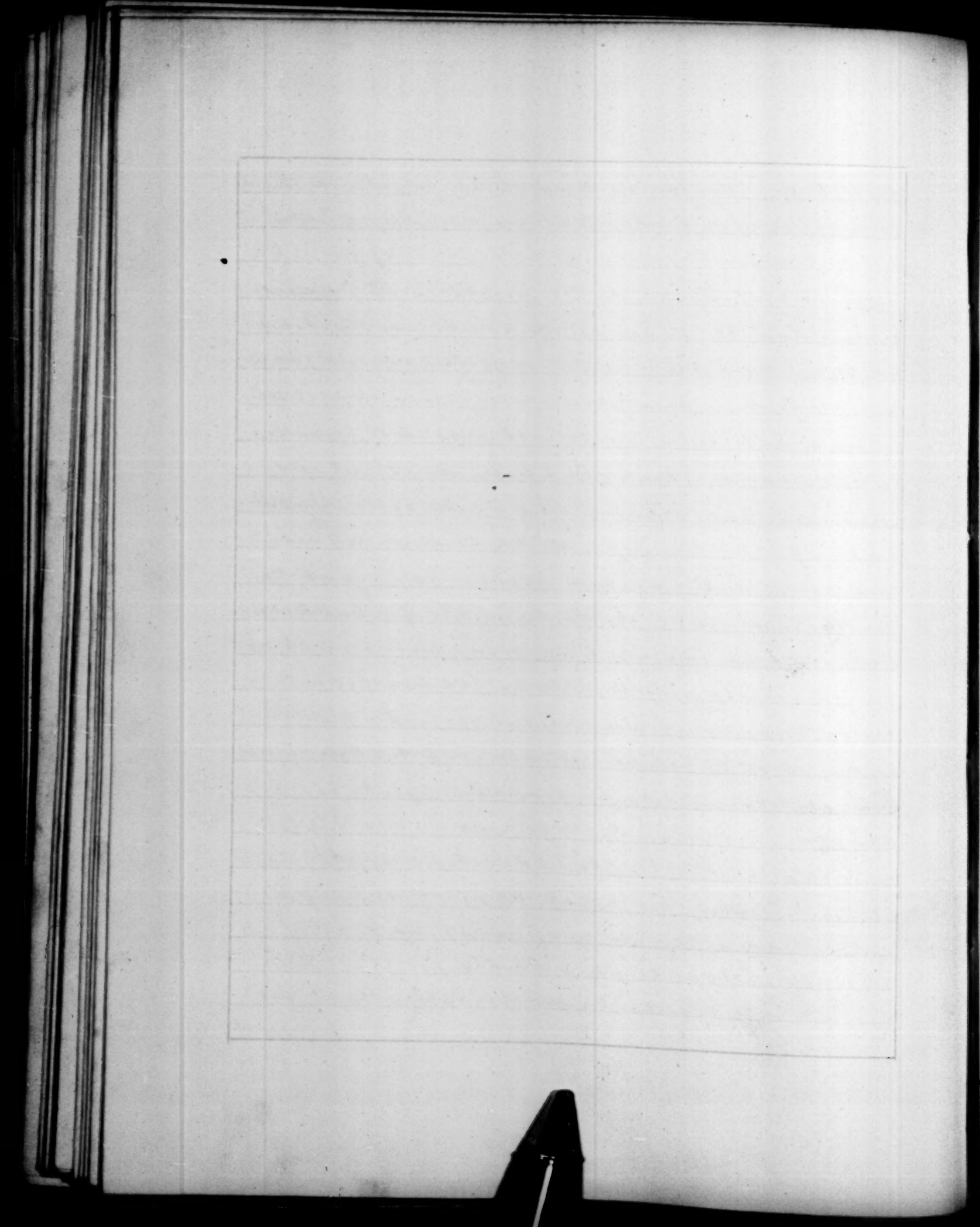
294  
his Administration to the peculiar incidental hardship of being ordered out of his own Government at some risk, and a very considerable expence, to a Congress of Indians on the Frontiers of Georgia, when other Governors on the same service, were liberally enabled by their respective Provinces to appear there. This uncommon, fatiguing and expensive service your Lordships will consider as it deserves. But your Memorialist relying on your Lordships acknowledged Justice & Equity, entertains the most sanguine hopes, that you will be pleased to issue an order in his favour on the South Carolina Quit Rents for twelve hundred and fifty pounds sterling, being the amount of the Governor's usual Salary for two years & a half, the space of time which he passed in that Colony, in the actual execution of his Office. All which is most humbly submitted by

my Lords,

Your Lordships most  
respectfull Memorialist,

Tho<sup>t</sup> Boone.

Nov<sup>r</sup> 25<sup>th</sup> 1765.





B. P. R. O. South Carolina B. I. Vol. 21. N. 15.

Charles Town. December 17<sup>th</sup> 1765.

My Lords,

Nothing new has happened in this Province since I had the honor of writing to your Lordships on the 3<sup>d</sup> November, except that the Assembly have come to certain Resolutions declaratory of what they conceive to be their rights with regard to Taxation in America, as I took the liberty of intimating to your Lordships I believed they might after the example of other Colonies. As these declarations contain some Articles which appear repugnant to the Proceedings of the Parliament of Great Britain, I should have expressed my disapprobation thereof by a dissolution of the General Assembly, but as the opinions so universally entertained on the continent of America, are now in a Petition, from several Colonies, lying before His Majesty for his Royal consideration I would not presume to take any step relative thereto until His Majesty shall please to signify his Royal Pleasure thereupon. I have taken the liberty of enclosing a copy of these Resolutions to your Lordships.

I am to acquaint your Lordships that no  
prospect

prospect yet appears when the operation of the Stamp Act is likely to be admitted in any of the Continental Provinces from any change in the minds of the People which Reason or their Interest can suggest: tho' the latter is greatly affected by it; that inconvenience however is submitted to with great perseverance & constancy. The Courts of Common Law, Admiralty and Ecclesiastical Jurisdiction are all silent, no Grants of Land are passed, all the ships remain in the Harbours as under an Embargo, every transaction requiring stamps is at a stand.

I am further to represent to your Lordships that the complaints from the North West Settlements of this Province of the great confusions in the surveying of Lands occasioned by Surveyors from North Carolina coming too far South, continue & increase for want of having the Temporary Line of Jurisdiction completed between the two Provinces. That I may not trespass upon your Lordships with a recapitulation of this matter your Lordships will permit me, whenever you are pleased to take that matter under your consideration, to refer your Lordships to my letter of the 10<sup>th</sup> December last & a new map of this Province which I made last year & had the honor of presenting to

to your Lordships Predecessors with my other Despatches sent in the Shellsborough Packet last winter.

It is with great pleasure I acquaint your Lordships that my endeavours to introduce Hemp as one of the staple articles of this Province are likely to succeed as the cultivation of Hemp is daily increasing in the back parts of this Province and some that is of very extraordinary goodness has already been brought to Town near 200 miles & much more will follow for market.

I cannot forbear observing to your Lordships that the indulgence equitably intended to be given to the British Merchants trading to Africa (lest too short a period might have interfered with their adventures) by the Act of Assembly for prohibiting the importation of Negroes for 3 years, has in great measure defeated the salutary end proposed, as above 8000 have been imported this year, being nearly equal to three years importation. Whether this sudden addition to a number already beyond a prudent proportion will be productive of unhappy consequences, cannot be certainly foreseen, but I have a few days ago rec'd intimation that some plots are forming & some attempts of insurrection  
to



to be made during these Holydays, at which time Slaves are allowed some days of festivity & exemption from labour. I shall therefore take proper measures to prevent the execution of such designs by giving necessary directions to the Militia & Patrols to be alert on their duty on that season which I hope will either discourage or suppress their attempt.

The Journals of the Council & Assembly could not be got ready in the binding for the Packet as she sails this day but they shall be transmitted to your Lordships in a vessel that will sail in a few days.

I have the honor to be with the greatest respect,

my Lords,

Your Lordships most obed<sup>t</sup>

To

& most Able Servant,

The R<sup>t</sup> Honble

W<sup>m</sup> Bull.

The Lords Commissioners

for Trade & Plantations.

Recd Febry 11

Read - D<sup>o</sup> - } 1766. (Inclosure.)

South Carolina.

Printed Votes & Resolutions of the House of  
Assembly. Nov<sup>r</sup> 29. 1765.

In the Gov<sup>r</sup>s letter of 19 Nov<sup>r</sup> 1765.

Dec<sup>r</sup>

N. 17

B. P. R. O. South Carolina. B. J. Vol. 21. N. 16.

Charles Town December 19. 1765.

My Lords.

The mail from St Augustine & Georgia not being yet come in, the Packet is detained somewhat longer. This gives me the opportunity of transmitting to your Lordships the Journals of the Council & of the Assembly down to the 29<sup>th</sup> day of November last. Altho' the new Assembly have done but little business yet as their Proceedings relate to a subject of a very extraordinary nature & of great expectation in America, I thought it my duty to lay their Journals before your Lordships as soon as possible.

I have the honor to be with the greatest respect,

My Lords.

Your Lordships most obedient

& most humble servant

To

W<sup>m</sup> Bull

The Right Honourable

The Lords Commissioners

for Trade & Plantations

at Whitehall

Rec<sup>d</sup> Feby 11

Read. — 1766.





B. S. R. O. South Carolina. B. J. Feb. 21. W. J.

St James's Decem<sup>r</sup> 21<sup>st</sup> 1765.

My Lords,

The King having been pleased to appoint Charles Montagu Esq<sup>r</sup> commonly called Lord Charles Montagu, to be Captain General & Governor in Chief in & over His Majesty's Province of South Carolina in America, in the room of Thomas Boone Esq<sup>r</sup> it is His Majesty's Pleasure that the Draughts of his Commission & Instructions be prepared in order to be laid before His Majesty for His Approbation.

I am,

My Lords,

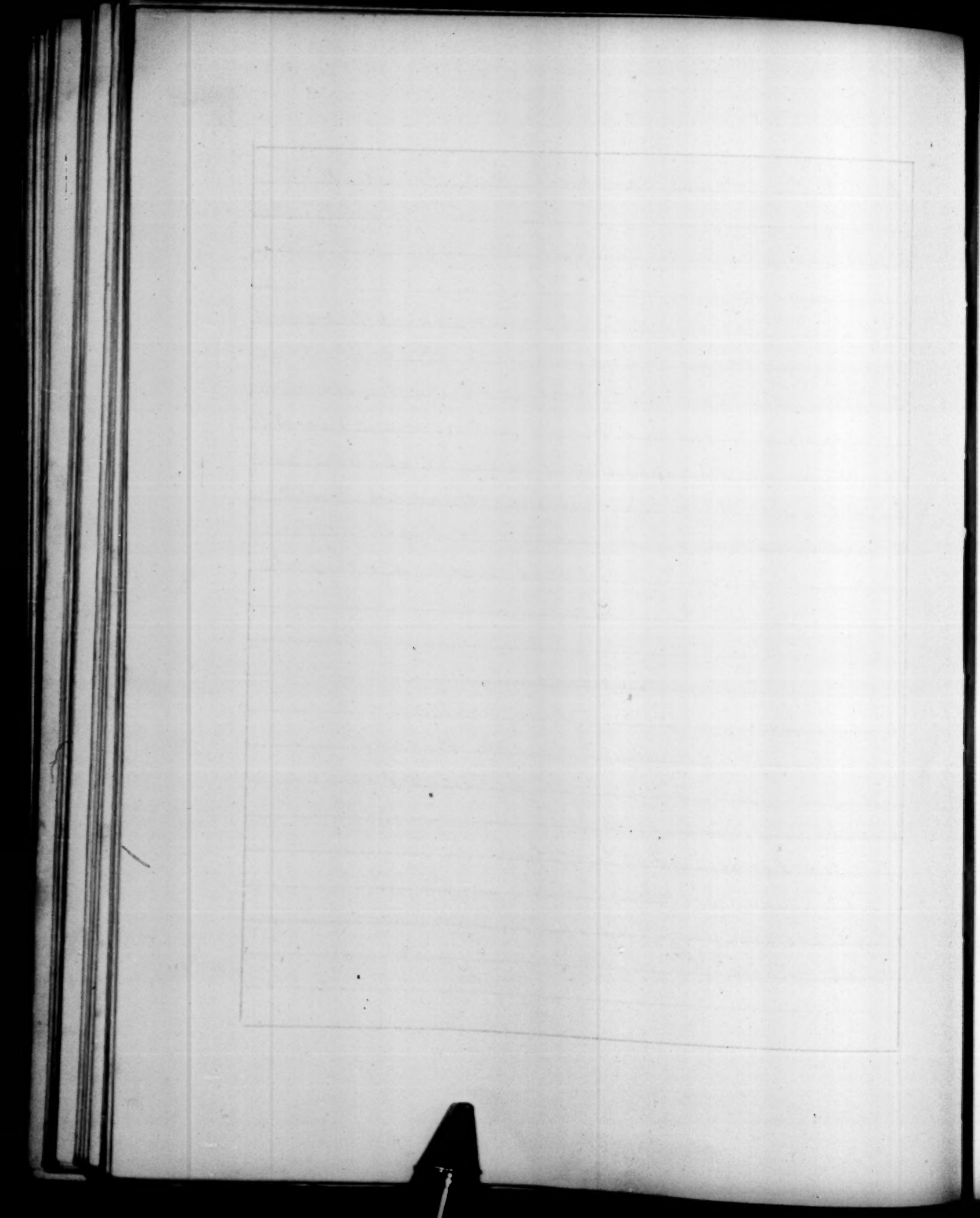
Your Lordships most  
obedient humble servant,

N. S. Conway

Lords Commissioners

for Trade and Plantations.

Recd Dec<sup>r</sup> 23. } 1765.  
Recd - 24 }



B. P. R. C. South Carolina B. J. Vol. 21. N. S.

(24<sup>th</sup> December, 1765)

Sir,

The Lords Comm<sup>rs</sup> of his Maj<sup>ty</sup> Treasury having read the inclosed Memorial of Thomas Boone Esq<sup>r</sup> Governor of South Carolina desiring to be paid arrears of Salary due to him as Governor of New Jersey. Their Lordships are pleased to direct me to transmit the same to you, to be laid before the Lords Comm<sup>rs</sup> for Trade and Plantations for their opinion thereupon, which you are desired to return to this Board.

I am,

Sir,

Your most humble servant,

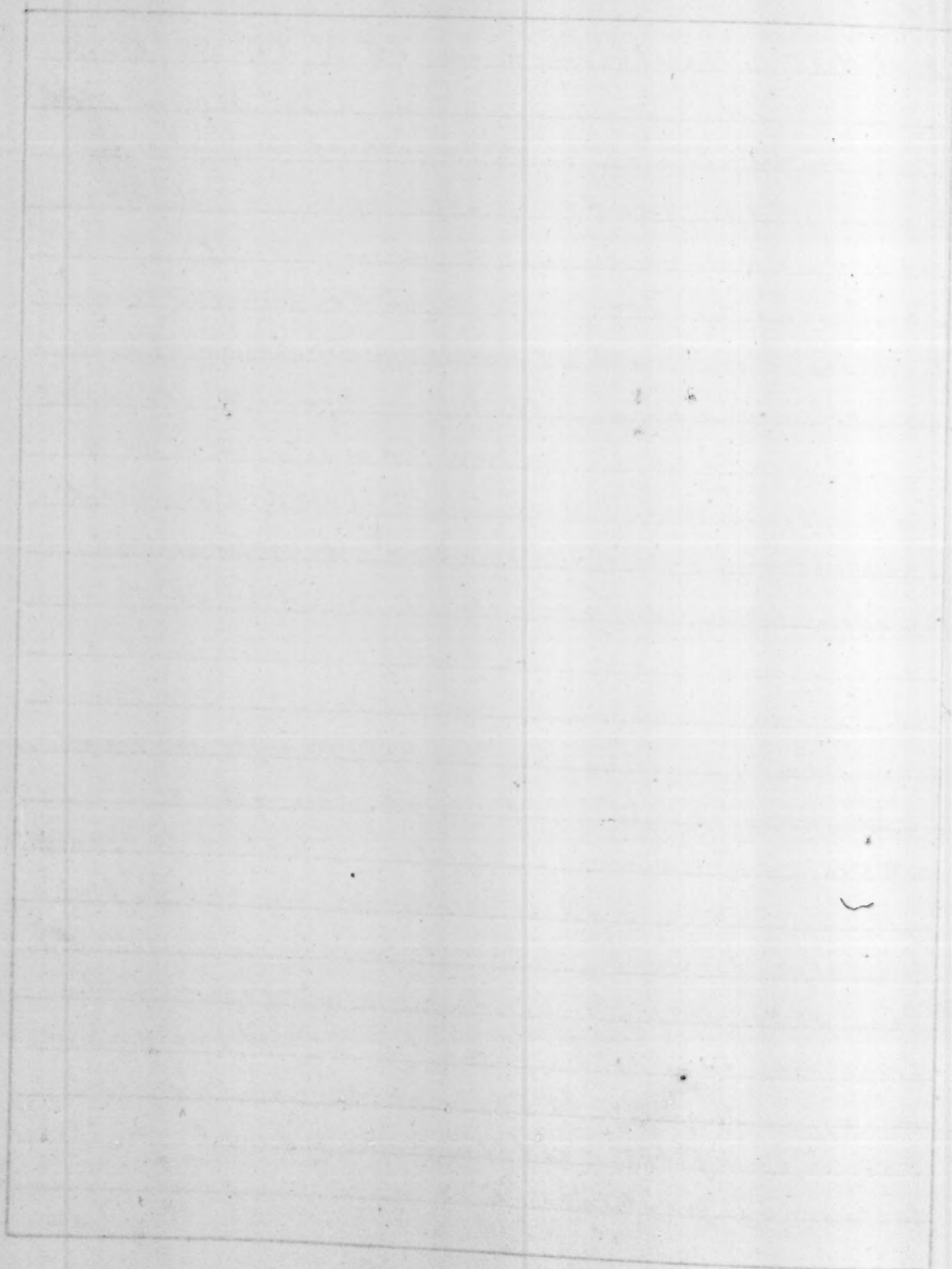
Cha. Lowndes

Treasury Chambers  
24<sup>th</sup> December, 1765 }

Rec<sup>d</sup> Rec<sup>d</sup> 24. 1765

Read Jan<sup>y</sup> 17. 1766





B. P. H. C. South Carolina B. J. Vol. 29. p. 235.  
(21<sup>st</sup> December 1765)

To the Kings most Excellent Majesty,  
May it please your Majesty,

In obedience to your Majesty's Commands signified to us by the Rt. Honble Henry Seymour Conway Esq: one of your Majesty's Principal Secretaries of State, in his letter to us of the 21<sup>st</sup> Instant, We have prepared, & herewith beg leave humbly to lay before your Majesty, Draughts of a Commission and of General Instructions, as well as of those relating to the observance of the Acts of Parliament for the Encouragement & regulation of the Plantation Trade for Charles Grville Montagu Esq: commonly called Lord Charles Grville Montagu whom your Majesty has been pleased to appoint to be Governor and Commander in Chief of your Majesty's Province of South Carolina in which Draughts We have made no material alterations from the Commission and Instructions given by your Majesty to Thomas Boone Esq: late Governor of the said Province except in the following particulars.

In

In the first Article of the present Draught of General Instructions we have inserted the names of Twelve Persons to be Members of your Majesty's Council for the said Province; all of whom have been already appointed by your Majesty to be of the said Council.

We have inserted Article 42 containing Directions with respect to the Tenure of the Commissions to be granted by your Majesty's Governor to the Chief Judges and Justices of the Courts of Judicature in the Province; in the place of the latter part of the 42<sup>d</sup> Article of the Instructions to M<sup>r</sup> Boone.

Article 89, forbidding the Governor to pass Grants of, or encourage settlements upon any Lands within the said Province, which may interfere with the Indians bordering thereon.

Article 47, respecting the Fees to be taken in the several Publick Offices of the said Colony in the room of the latter Clause of the 45<sup>th</sup> Article of the last General Instructions.

Article 56, requiring the Governor to reserve to your Majesty, in all Grants of Lands to be made by him, a certain part of the Tract granted.



granted, being woodland, for a permanent supply of Fuel to the Garrisons of any of your Majesty's adjacent Forts.

All which Articles are conformable to what your Majesty has already approved.

We have likewise inserted Article 9<sup>th</sup> directing the observance of the temporary line of Jurisdiction between your Majesty's two Colonies of North Carolina & South Carolina.

The Draught of Instructions relative to the observance of the Acts of Parliament for the Encouragement and regulation of Trade and Navigation is conformable to the Instructions given by your Majesty for the like Purposes to Sir Henry Moore, Baronet, Governor of your Majesty's Province of New York.

Which is most humbly submitted.

Dartmouth

Leame Jernyns

John Roberts.

Whitehall  
Decem<sup>r</sup> 24<sup>th</sup> 1765 }

George

George the Third &c. To our J. & W. Charles  
 Greville Montagu Esq: commonly called Lord  
 Cha: Greville Montagu Greeting. Whereas we  
 did by Our Letters Patent under Our Great Seal  
 of Gt B. bearing date at Westminster the 11<sup>th</sup>  
 day of May 1761 in the 1<sup>st</sup> year of Our Reign  
 constitute & appoint Thomas Boone Esq: to  
 be Our Capt. Genl and Gov: in Chief in and  
 over Our Province of S<sup>c</sup> Carolina in America,  
 for and during Our Will and Pleasure as  
 by the said recited Letters Patent, relation  
 being thereunto had, may more fully and at  
 large appear. Now know you &c.

The remainder of this Comm<sup>o</sup> is the same  
 mutatis mutandis, as Gov: Boone's.

Instructions

Instructions to Our Trusty and  
Wellbeloved Cha<sup>s</sup> Greville Montagu Esq<sup>r</sup>  
commonly called L<sup>d</sup> Cha<sup>s</sup> Greville Montagu  
Our Capt<sup>n</sup> Gen<sup>l</sup> & Governor in Chief of Our  
Province of South Carolina in America.  
Given at our Court at St James's the  
nineteenth day of February 1766 in the  
sixth year of Our Reign.

First. With these Our Instructions you  
will receive Our Commission under Our Great  
Seal of Great Britain, constituting you Our  
Captain General and Governor in Chief of Our  
Province of South Carolina in America, you  
are therefore to fit yourself with all convenient  
speed and to repair to Our said Province of  
South Carolina, and being there arrived, you  
are to take upon you the execution of the Place  
& Trust We have reposed in you and forthwith  
to call together the following Persons whom  
We do hereby appoint to be members of Our  
Council for that Our Province viz: William  
Bull Esq<sup>r</sup> Our Lieutenant Governor of Our  
said Province of South Carolina, Othniel Beal,  
Henry Middleton, George Austin, Egerton Leigh,  
Charles



Charles Skinner, John Drayton, Daniel Blake, John Burn, Thomas Skelton Esquires, Sir John Colleton, Baronet, and Henry Laurens Esquire.

2. And you are with all due and usual solemnity to cause Our said Commission under Our Great Seal of Great Britain constituting you Our Captain General & Governor in Chief of Our said Province, to be read and published at the said Meeting of Our said Council which being done, you shall then take, and also administer unto each of the Members of Our said Council the Oaths mentioned in an Act of Parliament passed in the first year of the Reign of King George the First, entitled An Act for the further security of His Majesty's Person and Government and the succession of the Crown in the Heirs of the late Princess Sophia, being Protestants, and for extinguishing the Hopes of the pretended Prince of Wales, and his open and secret Abettors. As also to make and subscribe and cause the Members of Our said Council to make and subscribe the Declaration mentioned in Act of Parliament made in the Twenty fifth year of the Reign of King Charles the  
Second.

Second, Entituled, An Act for preventing dangers which may happen from Popish Recusants. And you and every of them are likewise to take an Oath of the due execution of your and their Places and Trusts with regard to your and their equal & impartial Administration of Justice, and you are also to take the Oath required by an Act passed in the Seventh and Eighth years of the Reign of King William the Third to be taken by Governors of Plantations to do their utmost that the Laws relating to the Plantations be observed.

3. You shall administer or cause to be administered the Oaths appointed in the aforesaid Act, Entituled, An Act for the further Security of His Majesty's Person and Government, & the Succession of the Crown in the Heirs of the late Princess Sophia being Protestants, and for extinguishing the Hopes of the pretended Prince of Wales and his open and secret Abettors, to the Members and Officers of the Council and Assembly and to all Judges, Justices & other Persons, that hold any Office or Place of Trust or Profit in the said Province, whether by virtue of

of any Patent under the Great Seal of Great Britain or the Publick Seal of the said Province of South Carolina or otherwise. And you shall also cause them to make and subscribe the aforesaid Declaration, without the doing of all which you are not to admit any Person whatsoever, into any Publick Office, nor suffer those that have been admitted to continue therein.

4. You are forthwith to communicate unto Our said Council such and so many of these Instructions wherein their Advice and Consent are mentioned to be requisite as likewise all such others from time to time as you shall find convenient for Our Service to be imparted to them.

5. You are to permit the members of Our said Council to have and enjoy the Freedom of Debate and Vote in all Affairs of Publick Concern that may be debated in Council.

6. And altho' by Our Commission aforesaid, We have thought fit to direct that any three of the Council make a Quorum; It is nevertheless Our Will and Pleasure that you do not act with a Quorum of less than five members, unless  
upon



upon emergencies when a greater number cannot conveniently be had.

7. And that we may be always informed of the names & characters of Persons fit to supply the vacancies which shall happen in the said Council, you are from time to time when any vacancies shall happen in the said Council, to transmit unto Our said Commissioners for Trade & Plantations, in order to be laid before Us, the names of three Persons Inhabitants of the said Province whom you shall esteem best qualified for that Trust.

8. Whereas by Our Commission to you, you are empowered in case of the Death or Absence of any of Our Council of the said Province, to fill up the Vacancies in the said Council to the number of seven & no more, you are from time to time to send unto Our Comm<sup>rs</sup> for Trade & Plantations, in order to be laid before Us the Names and Qualities of any Member or Members by you put into the said Council, by the first conveyance after your so doing.

9. And in the choice and nomination of  
the

the Members of Our said Council, as also of the Chief Officers, Judges, Assistants, Justices of the Peace and other Officers of Justice you are always to take care that they be Men of good life, well affected to Our Government, and of Abilities suitable to their employments.

10. You are neither to augment nor diminish the number of Our said Council, as it is hereby established, not to suspend any of the Members thereof without good & sufficient cause nor without the consent of the Majority of Our said Council signified in Council after due Examination of the Charge against such Councillor and his Answer thereunto. And in case of the suspension of any of them, you are to cause your Reasons for so doing, together with the charges & Proofs against the said Persons and their Answers thereunto, to be duly entered upon the Council Books & forthwith to transmit Copies thereof to Our Comm<sup>rs</sup> for Trade & Plantations in order to be laid before Us. Nevertheless if it should happen that you should have reason for Suspending of any Councillor, not fit to be communicated to the Council you may

may in that case suspend such Person without their consent. But you are then upon immediately to send to our Comm<sup>rs</sup> for Trade & Plantations in order to be laid before Us, an account of your Proceedings therein, with your Reasons at large for such suspension, as also for not communicating the same to the Council & Duplicates thereof by the next opportunity.

11. And Whereas we are sensible that effectual care ought to be taken to oblige the Members of our said Council to a due attendance therein, in order to prevent the many inconveniencies that may happen for want of a Quorum of the Council to transact business as occasion may require. It is Our Will & Measure that if any of the Members of Our said Council residing in the Province, shall hereafter wilfully absent themselves from the Province & continue absent above the space of twelve months without leave from you, or from the Commander in Chief of the said Province for the time being first obtained, under your or his hand and seal, or shall remain absent for the space of two years successively without Our leave given them under Royal Signature, their Place or Places in the



the said Council shall immediately thereupon become void, and that if any of the members of the said Council residing in the said Province shall wilfully absent themselves hereafter from the Council Board when duly summoned without a just and lawfull cause, shall persist therein after admonition, you suspend the said Councillors so absenting themselves, till Our further Pleasure be known; giving timely notice thereof to Our Comm<sup>rs</sup> for Trade & Plantations, in order to be laid before Us, and, We do hereby will & require you that this Our Royal Pleasure signified to the several members of Our said Council, and that it be entered in the Council Books of the said Province as a standing Rule.

12. You shall take care that the members of the Assembly be elected only by the Freeholders, as being more agreeable to the custom of this Kingdom, to which you are as near as may be to conform yourself in all particulars.

13. And whereas the members of several Assemblies in the Plantations have frequently assumed to themselves privileges no ways belonging to them, especially of being protected from suits  
at

at Law during the Term they remain of the Assembly, to the great Prejudice of their Creditors and the Obstruction of Justice. And some Assemblies have presumed to adjourn themselves at Pleasure, without leave from Our Governor first obtained & others have taken upon them the sole framing of Money Bills refusing to let the Council alter or amend the same. All which Practices are very detrimental to Our Prerogative. If upon your calling an Assembly in South Carolina you find them insist upon any of the above said Privileges you are to signify to them that it is Our express Will and Pleasure that you do not allow any Protection to any Member of the Council or Assembly further than in their Persons, and that only during the sitting of the Assembly, and that you are not to allow them to adjourn themselves, except Sundays and Holydays, without leave from you or the Commander in Chief for the time being first obtained. It is also Our further Will & Pleasure that the Council have the like power of framing Money Bills as the Assembly.

14. You are to observe in the passing of all Laws that the style of enacting the same be by  
the

the Governor, Council & Assembly; You are also as much as possible to observe in the passing all Laws that whatever may be requisite upon each different matter be provided for by a different Law, without intermixing in one and the same Act such things as have no proper relation to each other. And you are more especially to take care that no Clause or Clauses be inserted in, or annexed to any Act which shall be foreign to what the Title of such respective Act imports, and that no perpetual Clause be made part of any temporary Law and that no Act whatever be suspended, altered, continued, revived or repealed by general words, but that the Title & date of such Act so suspended, altered, continued, revived or repealed be particularly mentioned and expressed in the enacting part.

15. And whereas several Laws have formerly been enacted in several of our Plantations in America for so short a time that the Royal Assent or Refusal thereof could not be had thereupon before the time for which such Laws were enacted did expire, you shall not therefore give your Assent to any Law that shall be enacted  
for



for a less time than two years, except in the cases hereinafter mentioned. And it is our further Will & Pleasure, that you do not re-enact any Law to which the Assent of Us or Our Royal Predecessors has been once refused, without express leave for that purpose first obtained from Us upon a full Representation by you to be made to Our Comm<sup>rs</sup> for Trade & Plantations in order to be laid before Us, of the reason and necessity of passing such Law, nor give your Assent to any Law, for repealing any other Law passed in your Government whether the same has or has not received Our Royal Approbation unless you take care that there be a Clause inserted therein, suspending and deferring the execution thereof until Our Pleasure shall be known concerning the same.

16. And whereas great mischiefs do arise by passing Bills of an unusual and extraordinary nature & Importance in the Plantations which Bills remain in force there from the time of enacting until Our Pleasure be signified to the contrary: We do hereby will & require you not to pass or give your Assent to any Bill or Bills in

in the Assembly of the said Province of unusual & extraordinary nature & importance wherein Our Prerogative or the Property of Our Subjects may be prejudiced nor to any Bill or Bills whereby the Trade & shipping of this Kingdom may be any ways affected until you shall have first transmitted unto the Commissioners for Trade & Plantations in order to be laid before Us, the Draught of such a Bill or Bills, and shall have received Our Royal Pleasure thereupon, unless you take care that in the passing of any Bills of such nature as before mentioned, there be a Clause inserted therein, suspending and deferring the execution thereof, until Our Pleasure shall be known concerning the same.

17. You are also to take care that no private Act whereby the Property of any private person may be affected be passed, in which there is not a saving of the right of Us, Our Heirs and Successors, all Bodies Publick & Corporate, & of all other Persons except such as are mentioned in the said Act, & those claiming by, from or under them; And further you shall take care, that no such private Act be passed without a  
 Clause

Clause suspending the execution thereof, until the same shall have received Our Royal Approbation. It is likewise Our Will & Pleasure that you do not give your Assent to any private Act, until Proof be made before you in Council (and entered in the Council Books) that publick notification was made of the Parties intention to apply for such Act, in the several Parish Churches where the Premises in question lye, for three Sundays at least successively, before such Act was brought into the Assembly, and that a Certificate under your hand be transmitted with and annexed to every such private Act, signifying that the same has passed through all the Forms above mentioned.

18. Whereas several inconveniencies have arisen to Our Governments in the Plantations, by Gifts & Presents made to the Governors by the General Assemblies: It is therefore our express Will & Pleasure, that neither you Our Captain General & Governor in Chief, nor any other Governor, Lieutenant Governor, Commander in Chief or President of the Council of Our Province of South Carolina for the time being, do receive  
any



any Gift or Present from the Assembly or others, on any account, or in any manner whatsoever, without Our express License for that purpose first had & obtained upon pain of Our highest Displeasure, & of being recalled. But to the intent, that a proper provision may be made, for the support of Our Government, you are hereby directed to propose unto the General Assembly, and use your utmost endeavour, that an Act be passed for raising and settling a Publick Revenue for defraying the necessary charge of the Government of the said Province, & that therein Provision be particularly made for a competent Salary to yourself as Captain General & Governor in Chief of Our said Province & to any other succeeding Captain General and Governor in Chief, for supporting the Dignity of the said Office, as likewise due Provision for the contingent charges of Our Council and Assembly, & for the Salaries of the respective Clerks & other Officers thereunto belonging, as likewise of all other Officers necessary for the administration of that Government, & when such Revenue shall so have been settled, & Provision made as aforesaid, then Our express

Will

Will & Pleasure is, that neither you the Governor, nor any Governor, Lieutenant Governor, Commander in Chief or President of the Council of Our said Province of South Carolina for the time being do give your or their consent to, or pass any Act in Our said Province, for any Gift or Present, or for the payment of any money to you or them, or to any of the members of our Council or to any other Persons whatsoever except to Us, Our Heirs, and Successors, without a Clause be inserted therein, declaring that the same shall not take effect until the said Act shall have been approved & confirmed by Us, Our Heirs, and Successors.

19. And We do further direct and require, that this Declaration of Our Royal Will & Pleasure be communicated to the Assembly at their first meeting after your arrival in that Province, and entered in the Journals of the Council & Assembly, that all Persons whom it may concern, may govern themselves accordingly.

20. You are to take care that in all Acts or Orders to be passed within that Our Province in any case for levying money or imposing  
Fines

Fines or Penalties, express mention be made that the same is granted or reserved to us, Our Heirs and Successors for the publick uses of that Province & the support of the Government thereof, as by the said Act or Order shall be directed; and you are particularly directed not to pass any Law, or do any Act by Grant, Settlement or otherwise, whereby Our Revenue may be lessened or impaired without Our especial Licence or Command therein.

21. You are not to suffer any Publick Money whatsoever to be issued or disposed of otherwise than by Warrant under your hand by and with the advice & consent of the Council; But the Assembly may nevertheless be permitted from time to time to view & examine all Accounts of Money or value of Money disposed of by virtue of Laws made by them which you are to signify unto them as there shall be occasion.

22. You are not to permit any Clause whatever to be inserted on any Law for levying Money or the value of Money whereby the same shall not be liable to be accounted for unto Us, & to Our Comm<sup>rs</sup> of Our Treasury, or to Our High Treasurer  
for



for the time being, and audited by Our Auditor General of Our Plantations or his Deputy for the time being. And we do hereby particularly request & enjoin you upon pain of Our highest displeasure to take care, that fair Books of Accounts of all Receipts & Payments of all Publick Money be duly kept and the Truth thereof attested upon oath. & that all such Accounts be audited & attested by Our Auditor General of Our Plantations or his Deputy, who is to transmit Copies thereof to Our Comm<sup>rs</sup> of Our Treasury or Our High Treasurer for the time being, and that you do every half year or oftener send another Copy thereof attested by yourself to Our Comm<sup>rs</sup> for Trade and Plantations, and Duplicates thereof by the next conveyance. In which Books shall be specified every particular sum raised or disposed of, together with the names of the Persons to whom any Payment shall be made, to the end We may be satisfied of the right and due application of the Revenue of Our said Province with the probability of the Increase or Diminution of it under every head or Article thereof.

23. And it is Our express Will & Pleasure that

that no Law for raising any Imposition on Wines or other strong Liquors be made to continue for less than one whole year; And also that all other Laws made for the supply & support of the Government, shall be without limitation of time, except the same be for a temporary service, and which shall expire & have their full effect, within the time therein prefixed.

24. Whereas it hath been represented, that a large Quantity of Paper Bill or Bills of Credit are now subsisting & passing in payment within Our Province of South Carolina without any Fund for calling in sinking & discharging the same; It is therefore Our Will & Pleasure that you do as soon as conveniently may be recommend to the Council and Assembly of Our said Province to consider of a Law for establishing a proper Fund or Funds for calling in, sinking & discharging the said Paper Bill or Bills of Credit now outstanding within a reasonable limited time And whereas great Inconvenience & prejudice have arisen to the Trade & Commerce of Our Colonies by frequent and large Emissions of Currency: It is therefore Our Will & Pleasure that

that you do not upon any pretence whatsoever, give your assent to any Bill or Bills for issuing any further quantity of Paper Bills or Bills of Credit, without especial license for that purpose first had and obtained, until the Assembly of Our said Province shall have made ample provision for sinking & discharging the Paper Bills of Credit at present outstanding within a reasonable & limited time as aforesaid & then only upon sudden & extraordinary emergencies of Government, in cases of War or Invasion, & upon no other occasion whatever, & provided that in every such Act so to be passed by you, due care be taken to ascertain the real value of such Bills of Credit, & that an ample & sufficient Fund be provided for calling in, sinking and discharging the said Bills within a reasonable time not exceeding five years: Provided also that such Bills of Credit, shall not be declared to be a legal tender in payment of any private Contracts, Bargains, Debts, Dues or Demands whatsoever within Our said Province. And whereas it hath been a Practice within Our said Province of South Carolina upon extraordinary Emergencies to pass Laws for the Emission of  
Publick



Publick Orders in the nature of Bills of Credit for defraying the Expences arising upon such Emergencies, for the sinking and discharging of which Provision has been made by the several Laws by which they were emitted. It is therefore Our express Will & Pleasure, that you do not upon any pretence whatsoever give your Assent to any Bill or Bills whereby the time limited or the Provision made for sinking & discharging such Publick Orders as may be at present outstanding within Our said Province, be protracted or postponed, or whereby any of the said Orders shall be depreciated in value, or whereby the same shall be ordered or allowed to be re-issued, or to obtain a new and further Currency. But on the contrary, that you do take particular care, that the said Acts be punctually & faithfully complied with, and the Publick Orders sunk and discharged according to the tenor of and within the Periods limited by the said Acts.

25. And whereas an Act of Parliament was passed in the Sixth year of the Reign of Her late Majesty Queen Anne, Entituled, An Act for ascertaining the Rates of foreign corns in Her Majesty's Plantations

Plantations in America, which Act the respective Governors of all Our Plantations in America have from time to time been instructed to observe and carry into due execution: And whereas, notwithstanding the complaints have been made, that the said Act has not been observed as it ought to have been, in many of Our Colonies and Plantations in America, by means whereof many indirect Practices have grown up & various illegal Currencies have been introduced in several of Our said Colonies and Plantations contrary to the true intent and meaning of the said Act, and to the prejudice of the Trade of Our Subjects. It is therefore Our Royal Will & Pleasure, and you are hereby strictly required & commanded under pain of Our highest displeasure and of being removed from your Government to take the most effectual care for the future, and the said Act be punctually and bona fide observed & put in execution according to the true intent and meaning thereof.

26. And whereas complaints have heretofore been made by the Merchants of the City of London in behalf of themselves and of several others of  
Our

Our good Subjects of Great Britain trading to Our Plantations in America, that greater Duties & Impositions are laid on their Ships & Goods than on the Ships & Goods of Persons who are Natives and Inhabitants of the said Plantations. It is therefore Our Will & Pleasure that you do not upon any pretence whatsoever on pain of our highest Displeasure give your Assent to any Law wherein the Natives or Inhabitants of the Province of South Carolina under your Government are put on a more advantageous footing than those of this Kingdom or whereby Duties shall be laid upon British Shipping or upon the product or manufacture of Great Britain upon any pretence whatsoever.

27. You are to examine what Rates & Duties are charged & payable upon any Goods exported & imported within Our said Province whether of the Growth or Manufacture of the said Province or otherwise, and you are to suppress the engrossing of Commodities as tending to the prejudice of that Freedom, which Trade & Commerce ought to have, and to use your best Endeavours in the improving the Trade of those

Parts



Parts by settling such Orders & Regulations there-  
 in with the advice of Our said Council as may  
 be most acceptable to the generality of the In-  
 habitants and to send unto Our Comm<sup>rs</sup> for  
 Trade & Plantations in order to be laid before  
 Us, yearly or oftner as occasion may require  
 the best and most particular Accounts of any  
 Laws, that have been or shall at any time be  
 made Manufactures set up, or Trade carried  
 on in the Province under your Government  
 which may any ways affect the Trade & Naviga-  
 tion of this Kingdom; And it is Our express  
 Will & Pleasure that you do not upon any pre-  
 tence whatever, upon pain of Our highest Dis-  
 pleasure, give your Assent to any Law or  
 Laws, for setting up or carrying on any Trades,  
 which are hurtful and prejudicial to this King-  
 dom, & that you do use your utmost endear-  
 ours to discourage, discountenance & restrain  
 any attempts which may be made to set up  
 such Manufactures or establish any such Trades.

28. Whereas Acts have been passed in some  
 of Our Plantations in America, for laying  
 Duties on the Importation and Exportation of  
 negroes.

Negroes, to the great Discouragement of the Merchants trading thither from the Coast of Africa. And whereas Acts have likewise been passed for laying of Duties on Felons imported in direct opposition to an Act of Parliament, passed in the fourth year of His late Majesty Our Royal Grandfather's Reign for the further preventing Robbery, Burglary, and other Felonies, and for the more effectual Transportation of Felons &c. It is Our Will & Pleasure that you do not give your Assent to, or pass any Law imposing Duties upon Negroes imported into Our Province of South Carolina, payable by the Importer, or upon any Slaves exported, that have not been sold in Our said Province and continued there for the space of Twelve Months: It is Our further Will & Pleasure that you do not give your Assent to, or pass any Act whatsoever, for imposing Duties on the Importation of any Felons from this Kingdom into South Carolina.

29. And you are to transmit authentick copies of all Laws, Statutes, and Ordinances which at any time hereafter shall be made or enacted within Our said Province, each of them separately under

under the Publick Seal unto His as aforesaid, and  
to Our Commr.<sup>s</sup> for Trade & Plantations within  
three months or sooner after their being enacted  
together with Duplicates thereof by the next  
conveyance, upon pain of Our highest Displeasure,  
and of the forfeiture of that year's Salary, when  
in you shall at any time or upon any pro-  
tence whatsoever, omit to send over the said  
Laws, Statutes and Ordinances as aforesaid,  
within the time above limited, as also of such  
other penalty as We shall please to inflict. And  
you are hereby directed to take care that the  
copies and Duplicates of the said Acts be fair-  
ly abstracted in the Margins: But if it shall  
happen, that no Shipping shall come from Our  
said Province within three months after the  
making such Laws, Statutes and Ordinances,  
whereby the same may be transmitted as afore-  
said, then the said Laws, Statutes, & Ordinances  
are to be transmitted by the next conveyance  
after the making thereof, whenever it may hap-  
pen for Our Approbation or Disallowance of  
the same.

30. And Our further Will & Pleasure is,  
that



that in every Act which shall be transmitted, the several dates or respective times when the same passed the Assembly and the Council and received your Assent be particularly expressed, and you are to be as explicit as may be in your observations to be sent to Our Commissioners for Trade & Plantations upon every Act, that is to say, whether the same is introductive of a new Law, declaratory of a former Law, or does repeal a Law then before in being; And you are likewise to Our said Comm<sup>rs</sup> the Reasons for the passing of such Law, unless the same do fully appear in the Preamble of the said Act.

31. You are to require the Secretary of Our said Province or his Deputy for the time being, to furnish you with Transcripts of all such Acts & Publick Orders, as shall be made from time to time, together with a copy of the Journals of the Council, & that all such Transcripts and Copies be fairly abstracted in the Margins, to the end the same may be transmitted unto Our Commissioners for Trade & Plantations, in order to be laid before us, which he is duly to perform, upon pain of incurring the

the forfeiture of his place.

32. You are also to require from the Clerk of the Assembly or other proper Officer, Transcripts of all Journals, & other Proceedings of the said Assembly, fairly abstracted in the Margins, to the end the same may be in like manner transmitted as aforesaid.

33. Whereas it is necessary that Our Rights and Dues be preserved and recovered, and that speedy and effectual Justice be administered in all Causes relating to Our Revenue, you are to take care that a Court of Exchequer be called & do meet at all such times as shall be needful, and you are upon your Arrival to inform His, by Our Comm<sup>rs</sup> for Trade & Plantations, whether Our Service may require that a constant Court of Exchequer be settled & established there.

34. You shall not erect any new Court or Office of Judicature nor dissolve any Court or Office already erected or established without Our especial Order.

35. And whereas frequent Complaints have been made of great delays & undue Proceedings in the Courts of Justice in several of our Plantations

tions, whereby many of Our good Subjects have very much suffered: And it being of the greatest importance to Our Service, and to the Welfare of Our Plantations, that Justice be every where speedily and duly administred, & that all disorders, Delays & other under Practices in the Administration thereof be effectually prevented: We do particularly require you to take especial care that in all Courts where you are authorized to preside, Justice be impartially administred, & that all other Courts established within Our said Province, all Judges and other Persons therein concerned do likewise perform their several Duties without Delay or Partiality.

36. You are to take care that no Court of Judicature be adjourned but upon good grounds, as also that no Orders of any Court of Judicature be entered or allowed, which shall not be first read and approved of by the Magistrates in open Court; which Rule you are in like manner to see observed, with relation to the Proceedings of Our Council of South Carolina; And that all Orders there made be first read & approved in Council, before they are entered upon the Council



-cil Books.

37. You shall endeavour to get a law passed (if not already done) for the restraining of any inhuman severity, which if by ill Masters or Overseers may be used towards their Christian Servants & their Slaves, and that Provision be made therein, that the wilfull killing of Indians and Negroes may be punished with Death, and that a fit penalty be imposed for the maiming of them.

38. You are to take care that all Writs within Our said Province be issued in Our Name.

39. Whereas it has been represented to Us that there is no Publick Prison erected in Our Province of South Carolina. It is therefore Our Will & Pleasure that you do in the most effectual manner recommend to the Assembly of the said Province, that they make necessary provision for erecting a common Goal or Goals and keeping the same in repair, agreeable to the practice of other British Colonies. And you shall also take care with the Advice & Assistance of Our Council that all Court Houses and other Publick Buildings that want reparation be forth  
with

with repaired and put in such a condition as is proper and necessary for the holding of Courts and keeping Offices.

140. Our Will & Pleasure is, that you or the Commander in Chief of Our said Province for the time being, do, in all Civil Causes, on application made to you or the Commander in Chief for the time being for that purpose, permit & allow Appeals from any of the Courts of Common Law in Our said Province unto you or the Commander in Chief, and the Council of the said Province, and you are for that purpose to issue a Writ in the manner which has been usually accustomed, returnable before yourself & the Council of the said Province, who are to proceed to hear & determine such Appeal, wherein such of the said Council as shall be at that time Judges of the Court, from whence such appeal shall be so made to you Our Captain General, or to the Commander in Chief for the time being, and to Our said Council as aforesaid shall not be admitted to vote upon the said appeal but they may nevertheless be present at the hearing thereof to give the Reasons of the Judgment given by them in the Clauses  
wherein

wherein such appeal shall be made. Provided nevertheless, that in all such Appeals the sum or value appealed for, do exceed the sum of Three hundred pounds sterling, and that security be first duly given, by the Appellant to answer such Charges as shall be awarded in case the first sentence be affirmed; and if either Party shall not rest satisfied with the Judgement of you or the Commander in Chief for the time being and Council as aforesaid. Our Will & Pleasure is that they may then appeal unto Us in Our Privy Council; Provided the sum or value so appealed for unto Us do exceed five hundred pounds sterling, and that such Appeal be made within fourteen days after sentence, and good security given by the Appellant that he will effectually prosecute the same and answer the condemnation, as also pay such Costs and Damages as shall be awarded by Us, in case the sentence of you or the Commander in Chief for the time being and Council be affirmed. Provided nevertheless where the matter in question relates to the taking or demanding any Duty payable to Us, or to any Fee of Office or annual Rent or other such like matter



matter or thing where the Rights in future may be bound in all such cases you are to admit an appeal to Us in Our Privy Council, tho' the immediate sum or value appealed for be of a less value. And it is Our further Will & Pleasure that in all cases whereby your Instructions you are to admit appeals unto Us in Our Privy Council execution be suspended until the final determination of such Appeals, unless good & sufficient security be given by the Appellee to make ample restitution of all that the Appellant shall have lost, by means of such Judgment or Decree, in case upon the determination of such Appeal, such Decree or Judgment should be reversed & restitution awarded to the Appellant.

141. You are also to permit Appeals unto Us in Our Privy Council, in all cases of Fines imposed for Misdemeanours provided the Fines so imposed amount to or exceed the sum of One hundred pounds sterling, the Appellant first giving good security, that he will effectually prosecute the same and answer the condemnation, if the sentence by which such Fine was imposed in South Carolina shall be confirmed.

142. Whereas laws have been lately passed or attempted to be passed in several of the Colonies in America, enacting that the Judges of the several Courts of Judicature or other Chief Officers of Justice in the said Colonies, shall hold their Offices during good behaviour; and whereas the Governors or other Chief Officers of several other of Our said Colonies have granted Commissions to the Judges or other Chief Officers of Justice, by which they have been empowered to hold their said Offices during good behaviour, contrary to the express directions of the Instructions given to the said Governors, or other Chief Officers by Us, or by Our Royal Predecessors. And whereas it does not appear to Us, that in the present situation & circumstances of Our said Colonies, it would be either for the Interest or advantage of the said Colonies, or of this Our Kingdom of Great Britain, that the Judges or other Chief Officers of Justice should hold their Offices during good behaviour. It is therefore Our express Will & Pleasure that you do not upon any pretence whatever upon pain of being removed from your Government give your Assent to any Act, by which the tenure of  
of



of Commissions to be granted to the Chief Judges or other Justices of the several Courts of Judicature, shall be regulated or ascertained in any manner whatsoever: And you are to take particular care in all Commissions to be by you granted to the said Judges or other Justices of the Courts of Judicature, that the said Commissions are granted during Pleasure only, agreeable to what has been the ancient practice and usage in Our said Colonies & Plantations.

43. You shall not appoint any person to be a Judge or Justice of the Peace without the advice and consent of at least Three of of Our Council signified in Council, nor shall you execute yourself or by Deputy any of the said Offices.

44. You shall not displace any of the Judges, Justices, Sheriffs or other Officers or Ministers within Our said Province without good and sufficient cause to be signified in the fullest & most distinct manner to Our Commrs for Trade & Plantations, in order to be laid before His, by the first opportunity after such removal.

45. You shall not suffer any Person to execute more Offices than one by Deputy.



46. And you are, with the Advice and Consent of Our Council, to take especial care to regulate all Salaries and Fees belonging to Places, or paid upon Emergencies, that they be within the Bounds of Moderation; and that no Exaction be made upon any occasion whatever.

47. Whereas frequent complaints have been hitherto made that exorbitant Fees have been demanded & taken in the Publick Offices in several of Our Colonies & Plantations in America, for Business transacted in such Offices: And whereas it hath been represented unto Us, that there is great reason to apprehend that such unwarrantable Demands & Exactions are still continued in some of Our Colonies particularly on the Survey & passing Patents for Lands; and whereas such shamefull & illegal Practices do not only dishonor Our Service, but do also operate to the prejudice of the Publick Interests, by obstructing the speedy settlement of Our Colonies. It is therefore Our Will & Pleasure, & you are hereby strictly enjoined & required forthwith upon receiving these Our Instructions to you, to cause fair Tables of all Fees legally established within the

the Province under your Government to be affixed up in every Public Office within your said Government, and also to publish a Proclamation in Our Name under the Seal of Our said Province, setting forth the complaints & Representations which have been made to Us, in respect to the exorbitant Fees demanded & taken in the Public Offices of several of Our Colonies, expressing our just Indignation of such unwarrantable and dishonorable practices, & strictly enjoining and requiring all Public Officers whatever, in their respective stations, not to demand or receive any other Fees for Public Business transacted in their Offices, than what have been established by proper authority, upon pain of being removed from their said Offices, & prosecuted with the utmost severity of the Law. And it is Our further Will & Pleasure that you do also forthwith transmit to Our Comm<sup>rs</sup> for Trade and Plantations, in order to be laid before us, an exact & authentic List or Table of all Fees allowed to, or taken by each Officer respectively within the Province under your Government, specifying by what Authority the Fees allowed to,

or taken by each Officer an established & distinguishing such, if any, as are taken without any such Authority.

148. Whereas there are several Offices in Our Plantations granted under the Great Seal of Great Britain, & Our Service may be very much prejudiced by reason of the absence of the Patentees, & by their appointing Deputies not fit to officiate in their stead; you are therefore to inspect each of the said Offices as are in Our said Province under your Government, & enquire into the capacity and behaviour of the persons exercising them, and to report thereupon to Us, and to Our Commissioness for Trade & Plantations, what you think fit to be done or altered in relation thereto; And you are upon the misbehaviour of any of the said Patentees or their Deputies, to suspend them from the execution of their Places, till you shall have represented the whole matter unto Us, and received Our directions therein, and in case of the Death of any such Deputy, it is Our express Will & Pleasure that you take care, that the person appointed to execute the Place until the Patentee can be informed thereof



thereof and appoint another Deputy, do give sufficient security to the Patentee, or in case of suspension, to the Person suspended, to be answerable for the Profits accruing during such interval by Death or during such Suspension, in case We shall think fit to restore the Person suspended to his Place again. It is nevertheless Our Will & Pleasure that the Person executing the Place during such Interval by Death or Suspension shall for his encouragement receive the same Profits as the Person dead or suspended did receive, that in case of the suspension of a Patentee, the Person appointed by you to execute the Office during such suspension shall for his Encouragement receive a moiety of the Profits which should otherwise have accrued and become due to such Patentee; giving security to such Patentee to be answerable to him for the other moiety, in case We shall think fit to restore him to his place again.

109. You shall not by Colour of any Power or Authority hereby or otherwise granted or mentioned to be granted unto you, take upon you to give, grant or dispose of any Place or  
Office

Office within Our said Province, which now is or shall be granted under the Great Seal of this Kingdom, or to which any Person is or shall be appointed by Warrant under Our Signet or Sign Manual, any further than that you may upon the Vacancy of such Office or Place or upon the Suspension of any such Officer by you as aforesaid, put in any fit person to officiate in the Interval till you shall have represented the matter unto Our Commissioners for Trade & Plantations, in order to be laid before Us, as aforesaid; which you are to do by the first opportunity, and till the said Office or Place be disposed of by Us, Our Heirs or Successors, under the Great Seal of this Kingdom or until some Person shall be appointed therein, under Our Signet & Sign Manual, or that Our further directions be given therein. And it is Our express Will & Pleasure, that you do countenance and give all due encouragement to all Our Patent Officers, in the enjoyment of their legal & accustomed Fees, Rights, Privileges, and Emoluments, according to the true intent and meaning of their Patents.

50. And whereas several complaints have been made by the Surveyors General & other Officers of Our Customs in Our Plantations in America, that they are frequently obliged to serve on Juries & personally to appear in arms whenever the Militia is drawn out & thereby are much hindered in the execution of their employments. Our Will and Pleasure is, that you take effectual care, and give the necessary directions that the several Officers of Our Customs be excused & exempted from serving on any Juries, or personally appearing in arms in the Militia unless in cases of absolute necessity or serving any Parochial Offices which may hinder them in the execution of their Duties.

51. And whereas the Surveyors General of Our Customs in the Plantations are impowered in case of the Vacancy of any of the Officers of Our Customs, by Death, Removal or otherwise to appoint other persons to execute such Offices, until they [receive] further Directions from Our Commissioners of Our Treasury, or Our High Treasurer, or Commrs of Our Customs for the time being; But in regard the Districts of  
the



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the said Surveyors General are very extensive, and that they are required at proper times to visit the Officers in the several Governments under their Inspection, & that it may happen that some of the Officers of Our Customs in the Province of South Carolina, may die at the time when the Surveyor General is absent in some distant part of his District, so that he cannot receive advice of such Officers Death within a reasonable time, and thereby make provision for carrying on the Service, by appointing some other Person in the room of such Officer who may happen to die therefore that there may be no delay given on such occasions to the Masters of Ships or Merchants in their Dispatches. It is Our further Will and Pleasure in case of such Absence of the Surveyor General, or if he should happen to die, and in such cases only, that upon the Death of any Collector of Our Customs within that Our Province, you shall make choice of a Person of known Loyalty, Experience, Diligence and Fidelity to be employed in such Collectors Room, for the Purposes aforesaid, until the

Surveyor

Surveyor General of Our Customs shall be advised thereof, and appoint another to succeed in their Places, or that further Directions be given therein by Our Comm<sup>rs</sup> of Our Treasury, or Our High Treasurer or by the Comm<sup>rs</sup> of Our Customs for the time being, which shall be first signified, taking care that you do not under pretence of this Instruction, interfere with the Powers and Authorities given by the Comm<sup>rs</sup> of Our Customs to the said Surveyor General, when he is able to put the same in execution.

52. whereas it is convenient for Our Service, that all the Surveyors General of Our Customs in America for the time being should be admitted to sit and vote in the respective Councils of the several Islands and Provinces within their Districts, as Councillors extraordinary, during the time of their residence there, We have therefore thought fit to constitute & appoint, and do hereby constitute & appoint the Surveyor General of Our Customs for the Southern District, and the Surveyor General of Our Customs within the said District for the time being to be Councillors extraordinary in Our said  
Provinces

Province: And it is Our Will and Pleasure that he and they be admitted to sit and vote in Our said Council as Councillors extraordinary during the time of his or their residence there, But it is Our Royal Intention, if through length of time the said Surveyor General should become the Senior Councillor in the said Province, that neither he nor they shall by virtue of such seniority be ever capable to take upon him or them, the Administration of the Government there upon the Death or Absence of Our Captains General or Governors in Chief for the time being: But whenever such Death or Absence shall happen, the Government shall devolve upon the Councillor next in Seniority to the Surveyor General unless We should hereafter think it for Our Service to nominate the said Surveyor General or any other of Our said Surveyors General, Councillors in Ordinary in any of the Governments within their Survey, who shall not, in that case, be excluded any benefit, which attends the seniority of their Rank in the Council.

53. It is Our further Will and Pleasure, and  
you



you are hereby required by the first opportunity, to move the Assembly of Our said Province under your Government, that they provide for the expence of making copies for the Surveyor General of Our Customs in the said District for the time being of all Acts and Papers, which bear any relation to the Duty of his Office, & in the mean time, you are to give orders that the said Surveyors General for the time being as aforesaid be allowed a free Inspection in the Publick Offices within your Government of all such Acts and Papers, without paying any Fee or Reward for the same.

54. You are to transmit unto Our Comm<sup>rs</sup> for Trade & Plantations, with all convenient speed, a particular account of all Establishments of Jurisdiction, Courts, Offices and Officers, Powers, Authorities, Fees & Privileges, granted and settled within Our said Province, together with an Account of all the expences attending the Establishments of the said Courts, and of such Funds as are settled and appropriated for discharging such expences.

55. Whereas great Inconveniencies have  
arisen

arisen in many of Our Colonies in America, &  
 from granting excessive quantities of Land to par-  
 ticular persons which they have never cultivated,  
 and have thereby prevented others more industrious  
 from improving the same more particularly in  
 South Carolina, where several Persons claim a  
 right to many thousand acres which they have  
 not yet taken up, you are hereby directed to recom-  
 mend to the Assembly of Our said Province, to  
 pass an Act or Acts, whereby the owners of all  
 Lands already granted by the late Lords Proprietors  
 shall be obliged within a reasonable time to take  
 possession of and cultivate the Lands by them  
 claimed on Penalty of Forfeiture of such right  
 or Claim, and to prevent the like inconvenience  
 for the future, in all Grants of Land to be made  
 by you, by and with the Advice & Consent of Our  
 Council, you are to take especial care that no  
 Grants be made to any Person, but in proport-  
 ion to his Ability to cultivate the same, and as  
 the number of Persons in each Granters Family  
 will be the most reasonable measure for your  
 Judgement in this particular, you are there-  
 fore hereby directed to observe the following  
 methods

methods in all Grants to be made by you viz<sup>t</sup>

That One hundred acres of Land be granted to every Person being Master or Mistress of a Family for himself or herself, & Fifty acres for every white or black man, woman or child, of which such Person's Family shall consist, at the actual time of making the Grant, subject to the payment of a Quit-rent of four shillings Proclamation money, for every hundred acres so granted, to commence at the expiration of two years from the date of each Grant, on failure of which the Grant to be void.

That every Grantee upon giving proof, that he or she has fulfilled the terms & conditions of his or her Grant, shall be intitled to another Grant in the proportion and upon the conditions above mentioned.

That all Granties of Lands be obliged by the Terms of their Grants to clear and cultivate at the rate of three acres & year, for every hundred acres contained in their Grants, in failure of which, their Grants shall be void.

56. Whereas it hath been represented unto His, that the Governors of several of Our Colonies in  
America



America have granted Lands away close to the  
Forts belonging to Us: by which means the Gar-  
risons of such Forts have been obliged to pay  
Proprietors of those Lands extravagant prices  
for wood cut for a necessary supply of Fuel,  
and thereby a great and unreasonable expense  
has been brought upon the Military Contingences.  
It is Our express Will and Pleasure, that you  
do take especial care that in all Warrants for  
surveying of Lands adjacent or contiguous to  
any Fort or Fortification, whether such War-  
rant be granted upon an original Petition to  
you in Council, or upon Our Order in Our  
Privy Council there be an express direction to  
the Surveyor, that he do reserve to Us, Our Heirs  
and Successors for the use of the Fort, near  
to which the Lands shall lye, such a part of  
the Tract petitioned for (being woodland) and  
in such a situation as the Commander in  
Chief of the said Fort (with whom he is to be  
required to consult and advise in all such  
cases) shall judge convenient and sufficient  
for a permanent & certain supply of Fuel for  
such a Garrison as the said Fort may be able  
to

to contain. And it is Our further Pleasure, that a regular Plot of such reserved Land describing the Bounds, expressing the quantity of acres, and properly signed and attested by such Surveyor be delivered to the Commanding Officer of each Fort, to be there publickly hung up, and a Duplicate thereof also accorded in the Secretary's Office or other proper Office of Record in Our Province under your Government; And as we judge the due execution of this Our Order to be essential to Our Service, you are hereby required to take care that the regulations above prescribed be duly entered upon the Council Books of Our said Province, as a standing Order to all Persons, who may be entrusted with the Powers to which they refer.

57. And it is Our further Will & Pleasure, that in all Grants of Land to be made by you as aforesaid, regard be had to the profitable & unprofitable acres, so that each Grantee may have a proportionable number of one sort & the other, as likewise that the length of each Tract of Land to be hereafter granted, do not extend along the banks of any River,  
but

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but into the main land, that thereby the said  
Grantees may have each a convenient share of  
what accommodation the said River may  
afford, for navigation or otherwise.

58. Whereas it has been found by long ex-  
perience in Our Province of New Hampshire  
& the Massachusetts Bay, that the settling of  
such persons as were disposed to become Planters  
there in Townships hath redounded very much  
to their advantage, not only with respect to  
the assistance they have been able to afford  
each other in their civil concerns, but like-  
wise with regard to the security they have  
thereby acquired against the insults and in-  
cursions of the neighbouring Indians: We have  
therefore thought it for Our Service, and you  
are hereby required as the number of Inhabit-  
ants in the said Province shall by God's Bless-  
ing increase, to mark out and set apart such  
and so many Townships as shall appear to  
you to be necessary for the reception and ac-  
commodation of them and of such persons  
as shall from time to time resort to the said  
Province with a view of settling therein. And  
it



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it is Our further Will & Pleasure that each of such Townships do consist of Twenty thousand acres of Land to be laid out in square Plots of Ground, one side thereof, if possible, to front the Banks of the River; and in each of these Townships you shall mark out a proper place for the situation of a Town, to consist of so many Lots, and each Lot of such a quantity of Land as you shall judge convenient and to each Inhabitant at their first settling there, besides their respective Town Lots, you shall Grant one hundred acres part of the above mentioned Twenty thousand acres, to every Master or Mistress of a Family, and fifty for every man, woman or child of which the Grantee's Family shall consist under such limitations and restrictions as are herein before directed; Provided always and We do hereby declare it to be Our Will & Pleasure that in case any part of the Lands lying within the nine Townships, directed to be laid out by Our Royal Grandfather's Instructions to James Glen Esq<sup>r</sup> late Governor of Our said Province shall remain ungranted, any Person or Persons who shall take up and settle upon the

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the same, shall be exempted from the payment of quit-rents for Ten years after the date of their respective Grant. And it is Our further Will & Pleasure, that the Grants so to be made by you as aforesaid, shall be augmented from time to time as the abilities of the respective Inhabitants shall render them capable of cultivating more Lands, always taking care to proportion the profitable and unprofitable land in each Grant, and to make the same out in such manner, that every Grantee by the situation of his Land may reap equal advantages; and to the intent that Land near the said Township may not be wanting for the convenience of the Inhabitants as their substance shall increase no person except the Inhabitants, shall be allowed to take up any Lands within six miles of the said Townships respectively, to which the Townships shall be contiguous.

59. It is Our further Will and Pleasure that each of such Townships respectively, be erected into a distant Parish, and that when any of the said intended Parishes shall have one hundred Householdors they shall be entitled to send two

Members

Members to the assembly, and to enjoy all such other privileges as do of right and common usage belong to other Parishes in Our said Province, and as a further encouragement to such Persons as shall be disposed to settle in these Townships, We are graciously pleased to allow the Inhabitants thereof a Right of Common and Herbage in and through all such Lands contained within the extent of the said Townships respectively as shall not be taken up by particular Grants made to the said Inhabitants & that a quantity of Land not exceeding Three hundred acres contiguous to the said Town shall be set apart for a Common in perpetuity to each of the said Towns, free from Quit Rents.

60. And whereas We have been informed, that the number of white men in Our said Province, bears too small a proportion to that of the Blacks which is not only a hindrance to the peopling and settling the same, but may be also of dangerous consequence from the attempts of an enemy & even from an insurrection of the Negroes. It is Our Will and Pleasure, that you recommend in the strongest terms



terms to the Assembly, that they pass an Act giving suitable encouragement to all who shall import white Servants into the Province either men or women, and as an encouragement for white Servants to go thither. We are graciously pleased to allow you to grant one hundred acres of Land free of Quit-rent for ten years to all white Servants, Men or Women, who shall have served their Masters the whole time of their agreement, and shall be willing afterwards to become Planters or Settlers in the said Province.

61. And whereas nothing can more effectually tend to the further improving and settling the said Province, the security of the Property of Our Subjects, and the advancement of Our Revenue of Quit-rents, than the establishing a regular and proper method of proceeding with respect to the passing of Grants of Lands within the same; It is therefore Our Will & Pleasure, that all and every Person and Persons who for the future shall apply to you for any Grant or Grants of Land, shall, previous to their obtaining the same, make it appear before you in Council that they are in a condition

dition to cultivate and improve the same by settling thereon in proportion to the quantity of acres, a sufficient number of white Persons or Negroes, and in case you shall upon a consideration of the circumstances of the Person or Persons applying for such Grants, think it advisable to pass the same, in such case you are to cause a Warrant to be drawn up directed to the Surveyor General or other proper Officer, empowering him or them to make a faithful and exact Survey of the Lands so petitioned for, and to return the said Warrant within six months at farthest from the date thereof, with a Plot or Description of the Lands so surveyed thereunto annexed. Provided that you do take care, that before any such Warrant is issued, as aforesaid a Request thereof be entered in the Auditor's Office, & when the Warrant shall be returned by the said Surveyor or other proper Officer, the Grants shall be made out in due form, and the Terms and Conditions required by these Our Instructions be particularly and expressly mentioned in the respective Grants. And it is Our further Will & Pleasure, that the  
said

said Grants shall be registered within six months from the date thereof in the Secretary's Office there, and a Recquet thereof be also entered in the Auditor's Office there, or that in default thereof such Grant shall be void, copies of all which entries shall be returned regularly by the proper Officers to the Commissioners of Our Treasury, and to the Comm<sup>rs</sup> for Trade and Plantations within six months from the date thereof.

62. And whereas for some years past, the Governors of some of Our Plantations have seized and appropriated to their own use the produce of whales of several kinds, taken upon those coasts, upon pretence that whales are Royal Fishes, which tends greatly to discourage the Branch of Fishery in Our Plantations & the preventing persons from settling there: It is therefore Our Will & Pleasure that you do not pretend to any such claim, nor give any manner of discouragement to the Fishery of Our Subjects upon the coasts of the Province under your Government but on the contrary, that you give all possible encouragement thereto.



63. You shall not remit any Fines or Forfeitures whatsoever until upon signifying to the Commissioners of Our Treasury or Our High Treasurer for the time being, and to Our Commissioners for Trade & Plantations, the nature of the offence and the occasion of such Fines and Forfeitures, with the particular sums or value (which you are to do with all speed) you shall have received Our directions therein; But you may in the mean time, suspend the payment of the said Fines and Forfeitures.

64. It is Our Will and Pleasure, that you do not dispose of any Forfeitures or Escheats to any person until the proper Officer has made an enquiry by a Jury upon their Oaths into the true value thereof, nor until you shall have transmitted to Our Comm<sup>rs</sup> of Our Treasury, and unto Our Comm<sup>rs</sup> for Trade & Plantations, a particular Account of such Forfeitures and Escheats, and the value thereof, & shall have received Our directions thereupon, and you are to take care, that the produce of such Forfeitures and Escheats, in case we shall think proper to give you directions to dispose of the same

same, to be duly paid to our Receiver General of the said Province, and a full Account thereof transmitted to the Commissioners of Our Treasury, or Our High Treasurer for the time being,  $\frac{1}{2}$  to Our Comm<sup>rs</sup> for Trade and Plantations, with the names of the persons to whom disposed; and provided that in the Grants of all forfeited and escheated Lands, there be a Clause obliging the Grantee to plant and cultivate three acres in every year, for every hundred acres contained in his Grant, in case the same was not so cultivated  $\frac{1}{2}$  planted before and that there be proper Savings & Reservations of Quil Rents to His, Our Heirs and Successors.

65. Whereas We have thought it necessary for Our Service to constitute and appoint a Receiver General of the Rights and Requisites of the Admiralty. It is therefore Our Will & Measure that you be aiding and assisting to Our said Receiver General, his Deputy or Deputies, in the execution of the said Office of Receiver General; And We do hereby enjoin and require you to make up your Accounts with him his Deputy or Deputies of all the Rights of Admiralty (effects of Pirates included) as you or your Officers shall  
or

or may at any time receive; and to pay over to our said Receiver General, his Deputy or Deputies for our use, all such sum or sums of money as shall appear upon the foot of such Accounts to be and remain in your hands or in the hands of any of your Officers. And whereas our said Receiver General is directed, in case the parties chargeable with any part of such our Revenue, refuse, neglect or delay payment thereof, by himself or sufficient Deputy, to apply in our name to our Governors, Judges, Attorney General, or any other Officers or Magistrates, to be aiding and assisting to him in recovering the same: It is therefore our will and Pleasure that your our Governor, our Judges, our Attorney General, and all other our Officers whom the same may concern do use all lawfull authority for recovering and levying thereof.

66. You are to permit a liberty of conscience to all Persons (except Papists) so as they be contented with a quiet & peaceable enjoyment of the same, not giving offence or Scandal to the Government.

67. You shall take especial care, that God  
Almighty



Almighty be devoutly and duly served throughout your Government, the Book of Common Prayer as by Law established read each Sunday and Holyday, and the Blessed Sacrament administered according to the Rites of the Church of England.

68. You shall take care that the Churches already built there be well and orderly kept, and that more be built as the Province shall by God's Blessing be improved; and that, besides a competent maintenance to be assigned to the Minister of each Orthodox Church, a convenient house be built at the common charge for each Minister, and a competent proportion of Land assigned him for a Site and exercise of his industry.

69. And you are to take care, that, that the Parishes be so limited and settled, as you shall find most convenient for accomplishing this good work.

70. You are not to prefer any Minister to any Ecclesiastical Benefice in that Province, without a Certificate from the Right Reverend Father in God the Lord Bishop of London, of his being conformable to the Doctrine and Discipline of the Church of England, and of a good life and conversation, &  
of

if any Person already preferred to a Benefice shall appear to you to give scandal either by his Doctrine, and manness, you are to use the proper and usual means for the removal of him, and to supply the vacancy in such manner as We have directed.

71. You are to give Orders forthwith (if the same be not already done) that every Orthodox Minister within your Government, be one of the Vestry in his respective Parish, and that no Vestry be held without him except in case of sickness, or that after notice of a Vestry summoned he omit to come.

72. You are to enquire, whether there be any Minister without your Government, who preaches and administers the Sacrament in any Orthodox Church or Chapel, without being in due Orders, and to give an Account thereof to the Lord Bishop of London.

73. And to the end the Ecclesiastical Jurisdiction of the Lord Bishop of London may take place in that Province so far as conveniently may be, We do think fit, that you do give all the countenance and encouragement to the exercise of the same, excepting only the collating to Benefices granting Licences for marriages

& Probates of Wills, which We have reserved to you Our Governor, and to the Commander in Chief of Our said Province for the time being as far as by Law We may.

74. And We do further direct that no School-master be hence forward permitted to come from this Kingdom, and to keep School in that Our said Province, without the Licence of the said Lord Bishop of London, & that no other Person now there, or that shall come from other parts shall be admitted to keep School in South Carolina without your Licence first obtained.

75. And you are to take especial care, that a Table of Marriages established by the Canons of the Church of England be hung up in every Orthodox Church, & duly observed: And you are to endeavour to get a Law passed in the Assembly of that Province (if not already done) for the strict observation of the said Table.

76. The Right Rev<sup>d</sup> Father in God, Edmund late Lord Bishop of London having presented a Petition to His late Majesty King George the First, humbly beseeching him to send Instructions to the Governors of all the several Plantations in America, that



that they cause all Laws already made against Blasphemy, Profaneness, Adultery, Fornication, Polygamy, Incest, Profanation of the Lord's Day, Swearing & Drunkenness in their respective Governments to be vigorously executed; And we thinking it highly just, that all Persons who shall offend in any of the Particulars aforesaid, should be prosecuted and punished for the said offences. It is therefore Our Will & Pleasure, that you do take due care for the punishment of the forementioned Vices, and that you earnestly recommend to the Assembly of South Carolina, to provide effectual Laws for the Restraint & Punishment of all such of the aforesaid Vices, against which no Laws are as yet provided. And also you are to use your endeavours to render the Laws in being more effectual, by providing for the Punishment of the aforesaid Vices, by presentment upon Oath to be made to the Temporal Courts by the Church Wardens of the several Parishes at proper times of the year, to be appointed for that purpose, and for the further discouragement of Vices and encouragement of Virtue and good living, that by such example the Infidels may be invited and persuaded

persuaded to embrace the Christian Religion. You are not to admit any Person to Publick Trusts and employments in the Province under your Government, whose ill Fame and Conversation may occasion scandal. And it is Our further Will and Pleasure, that you recommend to the Assembly to enter upon proper methods for the erecting and maintaining of Schools, in order to the training up of youth to reading and to a necessary knowledge of the Principles of Religion. And you are also with the assistance of the Council and Assembly to find out the best means to facilitate and encourage the conversion of Negroes and Indians to the Christian Religion.

77. You shall send to Our Commissioners for Trade and Plantations, by the first conveyance, in order to be laid before Us an Account of the present number of Planters and Inhabitants, men, women and Children as well Masters as Servants, free and unfree, and of the Slaves in Our said Province; As also a Yearly Account of the Increase or Decrease of them; and how many of them are fit to bear arms in the said Province.

78. You shall also cause an exact Account  
to

to be kept of all persons born, christened and buried, & send yearly fair abstracts thereof to Our Commissioners for Trade and Plantations.

79. And we do further expressly command and require you to give unto Our Commissioners for Trade and Plantations; an account every half year of what number of Negroes the said Province is supplied with.

80. You shall take care, that all Hunters, Inhabitants and Christian servants be well & fitly provided with arms, & that they be listed under good officers, and as often as shall be thought fit mustered and trained whereby they may be in a better readiness, for the defence of the said Province, and for the greater security thereof, you are to appoint fit Officers and Commanders in the several parts of that Province bordering upon the Indians, who upon any Invasion, may raise men and arms to oppose them, until they shall receive directions therein: But you are to take especial care, that neither the frequency nor unreasonableness of remote marches, musters or trainings be an unnecessary impediment to the Affairs of the Inhabitants, and you shall not  
upon



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upon any occasion whatsoever establish or put in execution any Articles of War or other Law martial upon any of Our Subjects Inhabitants of the said Province without the Advice and Consent of our Council there.

81. And whereas you will have received from Our Commissioners for executing the Office of High Admiral of Great Britain and of the Plantations, a Commission constituting you Vice Admiral of Our said Province, you are hereby required & directed carefully to put in execution the several Powers & Authorities thereby granted you.

82. And there having been great Irregularities in the manner of granting Commissions in the Plantations to private Ships of War, you are to govern yourself, whenever there shall be occasion, according to the Commissions and Instructions granted in this Kingdom, copies whereof, will be herewith deliver'd to you. But you are not to grant Commissions of Marque or Represal against any Prince or State, or their subjects in amity with us, to any person whatsoever, without Our especial Command; and you are to oblige the Commanders of all ships having  
private

private Commissions, to wear no other Colours, than such as are described in an Order in Council of the 7<sup>th</sup> of January 1730. in relation to Colours to be worn by all Ships of War.

83. whereas we have been informed that during the time of war. Our enemies have frequently got Intelligence of the State of Our Plantations, by Letters from private Persons to their correspondents in Great Britain, taken on board Ships coming from the Plantations, which has been of dangerous consequence; Our Will & Pleasure is that you signify to all Merchants, Planters & others, that they be very cautious in time of war, whenever that shall happen, in giving any account by Letters of the Publick State & Condition of Our Province of South Carolina. And you are further to give directions, to all Masters of Ships or other Persons to whom you may intrust your Letters, that they put such Letters into a bag with a sufficient weight to sink the same immediately in case of imminent danger from the enemy, and you are always to let the Merchants and Planters know, how greatly it is for their Interest that their Letters should not fall into the hands of the

the enemy; and therefore that they should give the like Orders to Masters of Ships in relation to their Letters; And you are further to advise all Masters of Ships, that they do sink all Letters in case of danger in the manner before mentioned.

84. And whereas the Merchants and Planters in America have, in time of war corresponded and traded with our Enemies, & carried Intelligence to them to the great prejudice and hazard of the British Plantations, you are therefore by all possible methods to endeavour to hinder all such Trade and Correspondence in time of war.

85. Whereas Commissions have been granted unto several Persons in our respective Plantations in America, for the trying of Pirates in those parts, pursuant to the several Acts for the more effectual suppression of Piracy. And by a Commission already sent to our Province of South Carolina you as Captain General and Governor in Chief of our said Province, are empowered together with others therein mentioned, to proceed accordingly in reference to the said Province of South Carolina; Our will and Pleasure is, that in all matters relating to  
 Pirates.



Pirates, you govern yourself according to the intent of the said Acts & Commission aforementioned.

86. Whereas it is absolutely necessary, that We be exactly informed of the State of Defence of all Our Plantations in America, as well in relation to the Stores of War that are in each Plantation, as to the Forts and Fortifications there, and what more may be necessary to be built for the defence & security of the same, you are so soon as possible to prepare an Account thereof, with relation to the said Province, in the most particular manner; and you are therein to express the present state of the arms, ammunition and other Stores of War belonging to the said Province either in any Publick Magazines or in the hands of private persons, together with the state of all Places already fortified, or that you judge necessary to be fortified for the security of Our said Province. And you are to transmit the said Accounts to Our Comm<sup>r</sup> for Trade and Plantations, in order to be laid before Us, as also a Duplicate thereof to the Master General or principal Officers of Our Ordnance, which Accounts are to express the particulars of Ordnance, Carriages, Ball.

Ball, Powder and all other sorts of arms and ammunition in the Public Stores at your arrival, and so from time to time of what shall be sent to you or bought with the Public Money, & to specify the time of the disposal and the occasion thereof, and the other like Accounts half yearly in the same manner.

87. And in case of distress of any other of Our Plantations, you shall upon application of the respective Governors thereof to you, assist them with what Aid the condition and safety of Our said Province under your Government can spare.

88. You are from time to time to give an Account as before directed, what strength your Neighbours have (be they Indians or others) by Sea and Land, and of the condition of their Plantations and what correspondence you do keep with them.

89. Whereas the Peace and Security of Our Colonies & Plantations upon the Continent of North America does greatly depend upon the Amity & Alliance of the several Nations or Tribes of Indians bordering upon the said Colonies, and  
upon

upon a just & faithfull Observance of those  
 Treaties and Compacts, which have been heretofore  
 solemnly entered into with the said Indians by  
 Our Royal Predecessors Kings & Queens of this  
 Realm; And whereas notwithstanding the repeated  
 Instructions which have been from time to time  
 given by Our Royal Grandfather to the Governors  
 of Our several Colonies upon this head, the said  
 Indians have made, & do still continue to make  
 great complaints, that Settlements have been made,  
 & possession taken of Lands, the Property of  
 which they have by Treaties reserved to themselves  
 by persons claiming the said Lands under pre-  
 tence of Deeds of Sale & Conveyance illegally,  
 fraudulently & surreptitiously obtained of the  
 said Indians. And whereas it has likewise been  
 represented unto Us that some of Our Governors  
 or other Chief Officers of Our said Colonies, regard-  
 less of the Duty they owe to Us, and of the Welfare  
 & Security of Our Colonies have countenanced  
 such unjust Claims & Pretensions, by passing  
 Grants of the Lands so pretended to have been  
 purchased of the Indians; We therefore taking  
 this matter into Our Royal Consideration, as also  
 the



the fatal effects which would attend a discontent amongst the Indians in the present situation of Affairs, and being determined upon all occasions to support & protect the said Indians in their just Rights & Possessions, & to keep inviolable the Treaties & Compacts which have been entered into with them, do hereby strictly enjoin & command, that neither yourself nor any Lieutenant Governor, President of the Council or Commander in Chief of Our Province of South Carolina, do upon any pretence whatever, upon pain of Our highest Displeasure and of being forthwith removed from your or his Office, pass any Grant or Grants to any persons whatever of any lands within or adjacent to the Territories possessed or occupied by the said Indians or the Property or Possession of which has at any time been reserved to or claimed by them: And it is Our further Will and Pleasure that you do publish a Proclamation in Our name strictly enjoining and requiring all persons whatever, who may either wilfully or inadvertently have seated themselves upon any lands so reserved to, or claimed by the said Indians without any lawfull authority

authority for so doing forthwith to remove there-  
from. And in case you shall find upon strict  
enquiry to be made for that purpose, that any  
Person or Persons do claim to hold or possess  
any Lands within Our said Province upon pre-  
tence of Purchases made of the said Indians with-  
out a proper license first had and obtained either  
from Us, or any of Our Royal Predecessors or any  
person acting under Our or Their Authority, you  
are forthwith to cause a Prosecution to be carried  
on against such person or persons, who shall  
have made such fraudulent Purchases, to the  
end that the Land may be recovered by due course  
of Law: And whereas the wholesome Laws,  
which have at different times been passed in  
several of Our said Colonies and the Instructions  
which have been given by Our Royal Predecessors  
for restraining Persons from purchasing Lands  
of the Indians without a licence for that pur-  
pose, and for regulating the Proceedings upon  
such Purchases, have not been duly observed: It  
is therefore Our Will & Pleasure, that, when any  
Application shall be made to you for a License  
to purchase Lands of the Indians, you do forthwith  
to

to grant such Licence, until you shall have first transmitted to Us, by Our Commissioners for Trade & Plantations, the particulars of such Application, as well in respect to the situation as the extent of the Lands so proposed to be purchased, and shall have received Our further directions therein; And it is Our further Will and Pleasure, that you do forthwith cause this Our Instruction to you to be made Publick not only within all parts of your said Province inhabited by Our Subjects but also amongst the several Tribes of Indians living within the same, to the end that Our Royal Will & Pleasure in the Premises may be known, and that the Indians may be apprized of Our determined Resolution to support them in their just Rights, and inviolably to observe Our engagements with them.

90. And whereas there is great reason to believe that the Indians on the Frontiers of South Carolina, who have of late years fallen off from the British Interest there, have been in some measure provoked thereto, by the injustice and ill usage which they have received from Our Subjects in your Government; And it being highly necessary for



for the Welfare of Carolina that a good understanding should be maintained with the said Indians Nations, as well for the promoting of Trade as for the security of the Frontiers of Our said Province: you are hereby particularly enjoined, to use all possible ways and means for regaining the affections of the said Indians, and to preserve a good correspondence with such of them as remain faithfull to Our Interest, but especially with Cherokee Indians inhabiting the Mountains on the North West side of the said Province of South Carolina: And you are likewise hereby directed to recommend in the strongest terms to the Indian Traders, to be just and reasonable in their dealings with the Native Indians and likewise to propose to the Assembly, if you & Our Council shall judge it necessary, to pass one or more Laws for the better regulation of the said Indian Trade, and for the encouragement and protection of such Indians as shall adhere to Our Interest.

¶ Whereas in consequence of Our Additional Instruction to Our Governors of North Carolina and South Carolina respectively, in the year 1763, a Temporary line of Jurisdiction has been agreed upon, and set out by Comm<sup>rs</sup> appointed by both the said Provinces.

Provinces, We do hereby signify to you Our Will and Pleasure, that the line so set out shall be the line of Jurisdiction between Our said Provinces, until a perpetual line of Partition between them shall be finally determined by Us, or until Our further Pleasure shall be signified thereupon.

92. You shall cause a Survey to be made of all the considerable landing Places and Harbours in Our said Province, And with the advice of Our Council there, erect in any of them such Fortifications as shall be necessary for the security and Advantage of the said Province, and that fit Storehouses be settled in the said Province for receiving and keeping of Arms, Ammunition and other Publick stores, all which is to be done at the Publick Charge, and you are accordingly to move the General Assembly to the passing of such Acts as may be requisite for the carrying on of that work, in which we doubt not of their chearfull concurrence, from the common security and Benefit they will receive thereby.

93. You shall transmit unto Us, and to Our Comm<sup>rs</sup> for Trade & Plantations, by the first opportunity, a Map with an exact description of

of the whole Province under your Government with the several Plantations upon it, and of the Fortifications; as also of the bordering Indian settlements.

94. You are likewise from time to time to give unto Our Comm<sup>r</sup> for Trade & Plantations as aforesaid, in order to be laid before Us, an account of the Wants and Defects of the said Province; what are the chief Products thereof, what new Improvements are made therein by the Industry of the Inhabitants or Planters, and what further Improvements you conceive may be made, or Advantages gained by Trade, and which way we may contribute thereto.

95. If any thing shall happen which may be of Advantage and Security to Our said Province, which is not herein, or by Our Commission provided for, We do hereby allow unto you, with the Advice and Consent of Our said Council, to take order for the present therein giving unto Our said Comm<sup>r</sup> for Trade & Plantations speedy notice thereof, in order to be laid before Us, that so you may receive Our Ratification thereof, if We shall approve of the same. Provided always that you do not by colour of any Power or Authority hereby given you  
Commence



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commence or declare war without Our knowledge  
or particular Commands therein, except it be against  
Indians upon emergencies, wherein the Consent of  
Our Council shall be had, and speedy notice given  
thereof to Our Comm<sup>rs</sup> for Trade and Plantations,  
in order to be laid before Hs.

96. And whereas great prejudice may happen  
to Our Service, and to the Security of Our said  
Province, by your Absence from these parts, you  
are not upon any pretence whatever to come to  
Europe, without having first obtained leave for  
so doing from Hs, under Our Sign Manual &  
Signet, or by Our Order in Our Privy Council; yet  
nevertheless in case of Sickness you may go to  
New York, or any other of Our Northern Plantations,  
and there stay for such a space, as the Recovery  
of your Health may absolutely require.

97. And whereas We have thought fit by Our  
Commission to direct, that in case of your death  
or Absence from Our said Province, and in case  
there be at that time no person upon the Place  
Commissionated or appointed by us to be Our  
Lieutenant Governor or Commander in Chief,  
the eldest Councillor, whose name is first placed

in

in these Our Instructions to you, and who shall be at the time of your Death or Absence residing within Our said Province of South Carolina, shall take upon him the Administration of the Government, and execute Our said Commission and Instructions and the several Powers & Authorities therein contained in the manner thereby directed. It is nevertheless Our express Will & Pleasure, that in such case the said President shall forbear to pass any Acts, but what are immediately necessary for the Peace and Welfare of Our said Province without Our particular Order for that purpose. And that he shall not take upon him to dissolve the Assembly then in being nor to remove or suspend any of the members of Our said Council, nor any Judges, Justices of the Peace or other Officers Civil or Military without the Consent of at least Seven of Our Council; and the said President is to transmit to Our Comm<sup>rs</sup> for Trade & Plantations by the first opportunity, in order to be laid before Us, the reasons for such alterations signed by himself and by Our Council.

98. And whereas we are willing in the best  
manner

manner to provide for the support of the Govern-  
ment of Our said Province by setting apart a  
sufficient allowance to such as shall be Our  
Lieutenant Governor, Commander in Chief or  
President of Our Council for the time being with-  
in the same; Our Will and Pleasure therefore  
is, that when it shall happen, that you shall  
be absent from Our said Province, one full moiety  
of the Salary and of all Perquisites & Emolu-  
ments whatsoever which would otherwise become  
due unto you, shall during the time of your  
absence from Our said Province be paid and  
satisfied unto such Lieut. Governor, Commander  
in Chief or President of the Council, who shall  
be resident upon the Place for the time being,  
which We do hereby order and allot unto him  
towards his maintenance, and for the better  
support of the Dignity of that Our Government.

99. And you are upon all Occasions to  
send unto Our Commissioners for Trade and  
Plantations only a particular Account of all  
your Proceedings and of the Condition of Affairs  
within your Government, in order to be laid  
before Us, Provided nevertheless, whenever any  
occurrence



Occurrence shall happen within your Govern-  
ment of such a nature and importance as  
may require Our immediate Direction by one  
of Our Principal Secretaries of State, and also  
upon all Occasions and in all Affairs wherein  
you may receive Our Orders by one of Our  
Secretaries of State, you shall in all such  
cases transmit to Our Secretary of State only  
an Account of all such Occurrences and of  
your Proceedings relative to such Orders.

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